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# THE QUEEN'S REGULATIONS AND ORDERS FOR THE ROYAL CANADIAN NAVY

## VOLUME III
(Financial)

**Issued under the Authority of The National Defence Act**

OTTAWA
EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
1952

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# DUTIES AND RESPONSIBILITIES OF PAYMASTERS (ARMY) AND ACCOUNTANT OFFICERS (R.C.A.F.)

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**(201.09 TO 201.99 INCLUSIVE: NOT ALLOCATED)**

CHAPTER 202

# CASH ACCOUNTS AND BANKING ARRANGEMENTS

*(Refer carefully to article 1.02 (Definitions) when reading every regulation in this chapter.)*

## 202.01—MAINTENANCE OF CASH ACCOUNTS

(1) The Supply Officer shall maintain proper records of all receipts and disbursements of public funds for which he is responsible in the manner prescribed in orders issued by the Chief of the Naval Staff.

(2) The Supply Officer shall immediately report to the Captain any shortage or surplus of public funds. The Captain shall investigate the circumstances of the case and forward a report to Naval Headquarters through the Senior Officer in Chief Command.

(G)

## 202.02—OFFICIAL BANK ACCOUNTS

(1) (*a*) When banking facilities are available, Naval Headquarters may authorize the opening of an official bank account for use as a depository for public funds other than cash required on hand.

(*b*) Normally, official bank accounts will be authorized for fleet establishments only.

(2) The authority of the Department of Finance to open an official bank account shall be obtained by Naval Headquarters through the Chief Treasury Officer, Department of National Defence, upon receipt of a request from the Supply Officer. The request shall contain the recommendation of the Supply Officer respecting the bank to be used.

(3) The Supply Officer shall open and maintain the account in his official capacity under the designation of "Department of National Defence (H.M.C.S. "....."))". At the time the account is opened, he shall obtain from the bank and forward to Naval Headquarters the following undertaking:

> "The account standing in the name of 'Department of National Defence (H.M.C.S. "....."))', is held by this bank as money belonging to the Department of National Defence, and the bank will at all times comply with any directions which may be given to the bank by the Director of Naval Pay Accounting, the Chief Treasury Officer (Department of National Defence) or the command supply officer of the ..... Command, R.C.N., notwithstanding that these directions may be in conflict with those of the supply officer for whom the account is being maintained."

## 202.02—OFFICIAL BANK ACCOUNTS—cont'd.

(4) A supply officer shall not deposit personal funds in an official bank account or use public funds for personal transactions.

(5) A supply officer, in making withdrawals of cash from an official bank account shall not withdraw cash in excess of immediate requirements or retain in the fleet establishment cash in excess of current requirements.

(G)

## 202.03—SECURITY OF PUBLIC FUNDS

The Captain shall in accordance with any orders issued by the Chief of the Naval Staff ensure that:

(*a*) safes or other adequate depositories are provided for the safeguard of all public funds in the ship or establishment;

(*b*) an adequate guard is provided for safeguarding public funds in transit to and from a bank; and

(*c*) all reasonable protection, whether by a guard or otherwise, is provided for the buildings or sections of the ship in which the funds are kept.

(G)

## 202.04—PROCUREMENT OF PUBLIC FUNDS

(1) The Supply Officer shall procure or requisition funds not in excess of anticipated requirements for pay, allowances, and other disbursements.

(2) In exceptional circumstances, the Senior Officer in Chief Command may authorize the requisition of funds in excess of anticipated requirements.

(G)

**(202.05 TO 202.99 INCLUSIVE: NOT ALLOCATED)**

# CHAPTER 203

# FINANCIAL BENEFITS GENERALLY

*(Refer carefully to article 1.02 (Definitions) when reading every regulation in this chapter.)*

## *Section 1—Issue and Computation of Financial Benefits*

### 203.01—COMMENCEMENT OF PAY AND ALLOWANCES

(1) Subject to (2) of this article, entitlement to pay in accordance with these Regulations shall commence, in the case of an officer or man of the:

(*a*) Regular Force, on the date of his enrolment in or transfer to the Regular Force; or

(*b*) Reserves, on the date he commences to perform Naval Training, Special Duty or Continuous Naval Duty.

(2) An officer on enrolment in the Regular Force or on transfer from the Reserves to the Regular Force shall not be entitled to pay for any period prior to the date on which he actually reports for duty.

(3) Entitlement of an officer or man to an allowance shall commence on the date he becomes eligible for the allowance under the conditions prescribed in these Regulations.

*(For pay of Reserves when performing Divisional Drills, see article 204.04)*

(G)

### 203.02—CESSATION OF PAY AND ALLOWANCES

Except in the case of an officer or man who dies or is officially reported missing (*See article 204.03—"Pay—Personnel Deceased or Missing"*), entitlement to pay and allowances other than Kit Upkeep Allowance, in accordance with these Regulations, shall cease at the end of the day on which:

(*a*) in the case of an officer or man of the Regular Force, he is released or is transferred from the Regular Force; or

(*b*) in the case of an officer or man of the Reserves, he ceases to perform Continuous Naval Duty, Naval Training or Special Duty.

*(For pay of Reserves when performing Divisional Drills, see article 204.04.)*

(G)

## 203.03—ISSUE OF PAY AND ALLOWANCES

(1) Except as prescribed in (2), (3), (4) and (6) of this article, pay and allowances shall be issued in arrears to an officer or man. Subject to any orders issued by the Chief of the Naval Staff, payment shall be made on the fifteenth and last days of each month, except that when the fifteenth or the last day of the month is not a full banking or working day, pay and allowances may be issued on the next preceding full banking or working day.

(2) When an officer or man proceeds on long leave, new appointment, draft or temporary duty, he may be paid:

(*a*) earned pay and allowances up to and including the date of the commencement of the leave or temporary duty, or the date of departure to take up his new appointment or draft; and (*9 Aug 56*)

(*b*) pay and allowances in advance, not exceeding one month, for the period of the leave or temporary duty or for the period subsequent to the date of departure to take up his new appointment or draft. (*9 Aug 56*)

(3) An officer or man who is not proceeding on leave, new appointment or draft may, in exceptional circumstances and with the prior approval of the Captain, be paid his earned pay and allowances at a time other than those prescribed in (1) of this article.

(4) When normal banking facilities are not available, an officer or man may, at his option, be permitted to leave any undrawn pay and allowances to his credit in his pay account.

(5) (*Reserved—Army and Air Force*).

(6) (*a*) When an officer or man is granted compassionate leave under article 16.17 (Compassionate Leave), and transportation at public expense is not authorized under article 209.51 (Transportation When Proceeding on Compassionate Leave), he may, with the approval of his commanding officer, be paid an advance of unearned pay and allowances in an amount not exceeding the cost of transportation to and return from the place to which he has been authorized to proceed on leave.

(*b*) An advance made to an officer or man under (*a*) of this paragraph shall be charged to his pay account and shall, except as provided in (*c*) of this paragraph, be recovered in equal monthly instalments over a period not exceeding six months.

(*c*) In exceptional circumstances, the Minister may extend the period of recovery prescribed in (*b*) of this paragraph. (*17 Sep 53*)

(7) When an officer or man is serving outside Canada the issue of pay and allowances shall be made in the currency prescribed by the Minister and concurred in by the Minister of Finance. (*29 Apr 54*)

(8) Notwithstanding anything contained in this article, the Minister may authorize the restriction of cash payments to officers and men serving outside Canada. (*2 Sep 53*)

(*For advances of pay and allowances when forfeiture or deduction imposed, see article 208.04*)

(G)

## 203.035—ALTERATION OF DATES OF PAYMENT BY CAPTAIN

Subject to the exigencies of the service, the Captain may order general payment to be made on dates other than the regular dates of payment.

(C)

## 203.04—OVERPAYMENTS AND LOSSES

(1) Every officer or man shall acquaint himself with the rates of pay, allowances and other financial benefits to which he may be entitled, and the conditions governing their issue.

(2) If an officer or man accepts a payment or payments in excess of the proper amount due to him, he shall report the overpayment to the Supply Officer and shall refund the amount of the overpayment.

(3) Refund of the amount of an overpayment shall normally be made by the officer or man either in one sum or by monthly deductions in his pay account during a period of not more than six months in amounts not less than the monthly rate at which the overpayment was made. In exceptional circumstances, the Minister may extend the period of recovery and authorize a lesser rate of repayment.

(4) An officer or man who discovers any loss of public funds or any deficiency in a public funds account shall immediately report the loss or deficiency to the Captain.

(G)

## 203.05—DELAY IN SUBMISSION OF CLAIMS

(1) Any sum of money payable under these Regulations which has not been claimed within a period of twelve months from the date on which it might have been claimed shall be forfeited, except when:

(*a*) the circumstances disclose sufficient reason for the delay in submitting the claim; and

(*b*) the payment is approved by the Minister.

(2) The provisions of (1) of this article shall not apply to any unpaid balance of pay and allowances remaining in the pay account of an officer or man.

(G)

## 203.06—COMPUTATION OF ENTITLEMENTS AND FORFEITURES ON A DAILY OR MONTHLY BASIS

(1) Subject to (2) and (3) of this article, for the purpose of computing entitlements to and forfeitures of pay, allowances and other financial benefits:

(*a*) where a monthly rate is prescribed, the daily rate shall be one-thirtieth of the monthly rate; and

(*b*) where an annual rate is prescribed

(i) the monthly rate shall be one-twelfth of the annual rate, and

(ii) the daily rate shall be one-thirtieth of the monthly rate so determined.

(2) Entitlement to pay and allowances for any calendar month shall not exceed the prescribed monthly rate of such pay and allowances.

(3) When pay and allowances are forfeited for a full calendar month, the amount forfeited for that month shall not exceed the prescribed monthly rate of such pay and allowances.

(G)

## 203.07—PAYMENTS ON BEHALF OF PERSONNEL MENTALLY OR PHYSICALLY INCAPACITATED

(1) When an officer or man in receipt of Marriage Allowance is certified by a service medical officer or a medical officer of the Department of Veterans affairs to be mentally or physically incapacitated, the Minister may authorize a monthly payment calculated in accordance with (2) of this article to:

(*a*) the wife; or

(*b*) if Marriage Allowance is paid in respect of a dependent child or children, the person or persons undertaking the care of the dependent child or children.

(2) The amount of the monthly payment shall be equal to the total, at the rate prescribed in these Regulations for the rank and status of the officer or man, of:

(*a*) fifteen days' pay;

(*b*) Marriage Allowance at the rate prescribed in the table to article 205.21; and

(*c*) Separated Family's Allowance at the rate prescribed in the table to article 205.26;

reduced by the amount of any supporting assignment in effect.

(3) When an officer or man is certified by a service medical officer or a medical officer of the Department of Veterans Affairs to be mentally or physically incapacitated and he is confined to a hospital or other institution, any charge for comforts supplied to him from canteens operated by that hospital or institution shall be paid on his behalf.

(4) The Minister may authorize payment of any credit balance remaining in the pay account of a mentally incapacitated officer or man to that person who, by the law of the province of Canada where the officer or man is detained, is entitled to receive moneys on behalf of the officer or man.

(5) Payments under this article on behalf of an officer or man shall:

(*a*) be made only in respect of the period during which it is certified that he is mentally or physically incapacitated; and

(*b*) be charged to his pay account.

(G) (28 Oct 53)

## 203.08—RESPONSIBILITY FOR DEBIT AND CREDIT BALANCES IN PAY ACCOUNTS

(1) When an officer or man has been released and his pay account shows a debit or credit balance, action to recover the debit balance or effect payment of the credit balance shall be taken at Naval Headquarters.

(2) If it is not possible to effect payment of a credit balance under (1) of this article, the balance may be passed to "suspense".

(3) If it is not possible to recover a debit balance under (1) of this article, recovery of the debit balance may be made from:

(*a*) any pension or gratuity which may be payable under Part V of *The Defence Services Pension Act;* or

**203.08—RESPONSIBILITY FOR DEBIT AND CREDIT BALANCES IN PAY ACCOUNTS—(Cont'd)**

(*b*) any sum payable under

(i) article 206.21 (Refund of Deferred Pay), or

(ii) article 206.22 (Payment of Gratuity on Termination of Service).

(4) When the whole or any part of a debit balance cannot be recovered as prescribed in (1) and (3) of this article, the Chief of the Naval Staff may, with the concurrence of the Chief Treasury Officer, Department of National Defence, pass the final debit balance to "suspense".

(5) (*Reserved—Army and Air Force*).

(6) When it is reported that a debit balance exists as a result of previous service in the Canadian Forces, the amount of such debit balance shall be recovered forthwith from the pay and allowances of the officer or man concerned.

(G)

**(203.09: RESERVED—ARMY AND AIR FORCE)**

**203.10—ISSUE OF PAY AND ALLOWANCES TO MEN IN HOSPITAL**

When a man is in hospital in circumstances other than those described in article 203.07, the issue of pay and allowances to him may, until his release from hospital, be restricted to the extent prescribed by the Chief of the Naval Staff.

(G)

**(203.11 TO 203.19 INCLUSIVE: NOT ALLOCATED)**



***Section 2—Special Ranks and Categories***

**203.20—NAVAL CADETS—REGULAR FORCE**

(1) Except as otherwise provided in (2) and (4) of this article, a naval cadet of the Regular Force shall be entitled to pay and allowances, except Outfit Allowance as prescribed in article 205.50, at the rates and under the conditions prescribed in these Regulations for an acting sub-lieutenant.

(2) A man of the Regular Force, promoted to the rank of naval cadet for the purpose of undergoing training to qualify for promotion to commissioned rank in that Force, and to whom neither the Regular Officer Training Plan nor the Venture Plan applies, shall be entitled:

(*a*) when undergoing the naval training prescribed by the Chief of the Naval Staff, to pay and allowances, except Outfit Allowance as prescribed in article 205.50, at the rates and under the conditions prescribed in these Regulations for an acting sub-lieutenant; (*1 Sep 54*)

**203.20—NAVAL CADETS—REGULAR FORCE—(Cont'd)**

(*b*) when in actual attendance at a Canadian Services College undergoing the normal academic course, to pay and allowances at the rates and under the conditions prescribed in these Regulations for an able seaman;

(*c*) when in actual attendance at a university, to pay and allowances at the rates and under the conditions prescribed in these Regulations for

(i) in the case of a naval cadet promoted from Petty Officer, 2nd Class or below, the rank or classification that he held on promotion to naval cadet, or

(ii) in the case of a naval cadet promoted from Petty Officer, 1st Class or above, the rank of Petty Officer, 2nd Class; and

(*d*) when serving other than as described in (*a*), (*b*) or (*c*) of this paragraph, to pay and allowances as prescribed in (*b*) or (*c*) of this paragraph, as applicable.

(3) When a naval cadet is being paid under (*b*), (*c*) or (*d*) of (2) of this article his rate of pay shall include:

(*a*) pay for the trade group that he held immediately prior to his promotion to naval cadet; and

(*b*) progressive pay, in accordance with article 204.01, for which purpose he may count all service

(i) in the rank for which he is being paid, and

(ii) in any higher rank.

(4) A naval cadet of the Regular Force to whom the Regular Officer Training Plan or the Venture Plan applies shall be entitled to: *(1 Sep 54)*

(*a*) pay at the rate of $60.00 per month; and *(1 Apr 56)*

(*b*) allowances at the rates and under the conditions prescribed in these Regulations for an acting sub-lieutenant, except

(i) Marriage Allowance as prescribed in article 205.20 and all allowances conditional upon receipt of Marriage Allowance, and

(ii) Outfit Allowance as prescribed in article 205.50. *(1 Sep 53)*

(G) (1 Sep 52)

**203.21—NAVAL CADETS—RESERVES**

A naval cadet of the Reserves shall, when performing Continuous Naval Duty, Naval Training, Special Duty, or Divisional Drills, be entitled to pay, allowances and other benefits at the rates and under the conditions prescribed in these Regulations for an acting sub-lieutenant of the Reserves.

(G)

**203.22—PAY AND ALLOWANCES OF PENSIONERS**

(1) This article shall apply to an officer or man who has been granted a pension under Parts I to IV of the *Defence Services Pension Act* as a man, other than a warrant officer, or under Part V of that Act as a man, other than a chief petty officer 1st class or 2nd class or warrant officer, and who is serving in the:

**203.22—PAY AND ALLOWANCES OF PENSIONERS—(Cont'd)**

(*a*) Regular Force; or

(*b*) Reserves

(i) when performing Continuous Naval Duty, or

(ii) during any continuous period of Special Duty, excluding the first three months of that period.

(2) An officer or man to whom this article applies shall have the pay and allowances he would otherwise be entitled to receive under these regulations, abated by the amount of his gross pension so long as payment of his pension continues to be made.

(3) For the purpose of this article:

(*a*) the monthly rate of gross pension shall be one-twelfth of the annual gross pension; and

(*b*) the gross pension to be deducted for a portion of a month shall be calculated by applying the formula:

$$\frac{\text{number of days' service}}{30} \text{ X monthly rate of gross pension.}$$

(G) (PC 1957–29/357 of 21 Mar 57) (NS 2420-1) (26 Jun 56)

**203.23—PERSONNEL ATTACHED OR SECONDED**

(1) An officer or man attached or seconded shall be paid in accordance with these Regulations, unless the Minister directs that the officer or man shall not be paid for the period of attachment or secondment.

(2) The pay and allowances for the period of secondment shall be recovered from the force, department or other organization to which the officer or man is seconded.

(G) (PC 1955–12/347 of 12 Mar 55) (1 Jul 54)

**203.24—ACTING RANK—OFFICERS**

(1) An officer who is appointed to an acting rank shall, during the period he holds the acting rank, be entitled to pay and allowances at the rates and under the conditions prescribed for the equivalent substantive rank.

(2) (*Reserved-Army*)

(G)



**203.25—HONORARY RANKS**

An officer who holds an honorary rank shall not be entitled to pay, allowances or other financial benefits for his honorary rank.

(G)

## 203.26—PAY AND ALLOWANCES OF CHAPLAINS

An officer appointed as a chaplain shall be entitled to pay, allowances and other financial benefits in accordance with these Regulations for the class to which he is appointed at the rate prescribed for the equivalent listed in the table to this article.
(G)

TABLE TO ARTICLE 203.26

| Appointment | Equivalent |
|---|---|
| Chaplain, Class VI | Commodore |
| Chaplain, Class V | Captain |
| Chaplain, Class IV | Commander |
| Chaplain, Class III | Lieutenant-Commander |
| Chaplain, Class II | Lieutenant |
| Chaplain, Class I | Sub-Lieutenant |

(G)

## (203.27: RESERVED—ARMY AND AIR FORCE)

## 203.28—FINANCIAL BENEFITS—FEMALES

For the purpose of determining entitlement to any benefit which is related to marital status or to the dependency of children, a female member of the Royal Canadian Navy shall be deemed to be single without dependents.
(G)

## 203.29—PRISONERS OF WAR, INTERNEES AND PERSONNEL DETAINED BY AN ENEMY

(1) When an officer or man becomes a prisoner of war, is interned or is detained by an enemy, he shall be entitled to:

(*a*) pay; and

(*b*) the following allowances

(i) while in receipt of Marriage Allowance, Separated Family's Allowance at the rate prescribed for his rank and status in the table to article 205.26,

(ii) Foreign Allowance at the rate and under the conditions prescribed for his rank in the table to article 205.44, and

(iii) Maintenance Allowance, if applicable, at the rate and under the conditions prescribed in article 205.28; and

(*c*) the following allowances, if in issue to him on the date he becomes a prisoner of war, is interned or is detained by an enemy

(i) Marriage Allowance at the rates from time to time applicable to his rank and status in articles 205.20 and 205.21,

(ii) Subsistence, Quarters, or Ration Allowance as prescribed for his rank in the table to article 205.01, to, but not beyond, the end of the month in which he becomes a prisoner of war, is interned or is detained by an enemy,

**203.29—PRISONERS OF WAR, INTERNEES AND PERSONNEL DETAINED BY AN ENEMY—(Cont'd)**

(iii) Responsibility Allowance in the case of a Medical Officer at the rate and under the conditions prescribed in the table to article 205.32 (d),

(iv) Responsibility Allowance at the rate and under the conditions prescribed in article 205.32 (2)(c) and 205.32 table (f),

(v) except as prescribed in (iii) and (iv) of this paragraph, Responsibility Allowance at the rates and under the conditions prescribed in article 205.32, to, but not beyond the end of the month in which he becomes a prisoner of war, is interned or is detained by an enemy,

(vi) Supplementary and Rent Allowance under article 205.41 at such rates and for such periods as the Minister may determine,

(vii) Grog Allowance at the rate and under the conditions prescribed in article 205.61 but not beyond the end of the month in which he becomes a prisoner of war, is interned, or is detained by an enemy,

(viii) Kit Upkeep Allowance at the rates and under the conditions prescribed in article 205.53 but not beyond the end of the month in which he becomes a prisoner of war, is interned, or is detained by an enemy,

(ix) Risk Allowance at the rate prescribed in article 205.30, to, but not beyond the end of the month in which he becomes a prisoner of war, is interned or detained by an enemy,

(x) Aircrew Allowance at the rate prescribed in article 205.35 for his rank and status, to, but not beyond, the end of the month in which he becomes a prisoner of war, is interned or is detained by an enemy, and *(1 Jul 56)*

(xi) Submarine Allowance at the rate prescribed in article 205.37 for his rank, to, but not beyond the end of the month in which he becomes a prisoner of war, is interned or is detained by an enemy. *(1 Jan 57)*

(2) Interest on any accumulated balance in the pay account of an officer or man who becomes a prisoner of war, is interned or is detained by an enemy may be allowed at the rate and on the basis as may from time to time be determined by the Minister of Finance.

(G)

**203.30—VESTED RIGHT TO PAY ON PROMOTION**

When a man, selected as an upper yardsman candidate, is promoted to acting sub-lieutenant and as a result his rate of pay would be reduced, it shall remain unchanged until the rate of pay for any higher rank to which he may subsequently become entitled is greater than that which he received prior to promotion to acting sub-lieutenant.

(G) (PC 1955—23/1866 of 21 Dec 55) (21 Dec 55)

**(203.31 TO 203.99 INCLUSIVE: NOT ALLOCATED)**

## AMENDMENTS — QRCN

(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/25, 2/25 and 3/25 are superseded by this Amendment List.

Naval Secretary

To all Flag Officiers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishements,
and all others concerned.

A. **New Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

| | | | | |
|---|---|---|---|---|
| **New Article:** | 203.30 | | | |
| **Amended Articles:** | 12.24 | 71.1401 | 205.70 | 205.72 |
| | 12.25 | 205.34 | 205.71 | 205.73 |
| **Amended Appendix:** | Appendix XXI (DSPA Regulations | | | |
| **Corrected Articles:** | 21.41 | 26.21 | 29.02 | 57.31 |
| | 24.15 | 27.90 | 29.04 | 57.32 |
| | 25.31 | 27.99 | 29.05 | |

B. **Amend** in ink and **insert** after each amendment the reference "AL 25":

(1) *Chapter 21*
In heading of Section 6—
**Delete:** "acciddnts", and
**Substitute:** "accidents".

(2) *Article 21.52*
In subparagraph (1) (e)—
**Delete:** "vehicles", and
**Substitute:** "vehicle".

(3) *Article 21.72*
In paragraph (1), line 4—
**Delete:** *"for Reimbursement of Financial Loss"*.

(Continued on page 2)

(4) *Article 21.88*
In reference following subparagraph (b)—
**Delete:** "71.2003", and
**Substitute:** "71.3002".

(5) *Article 26.20*
In reference following paragraph (2)—
**Delete:** "Investigation of", and
**Substitute:** "Investigation on".

(6) *Article 57.34*
In paragraph (3)—
**Delete:** "BR Form U2D", and
**Substitute:** "BRCN 109".

CHAPTER 204

# PAY OF OFFICERS AND MEN

*(Refer carefully to article 1.02 (Definitions) when reading every regulation in this chapter.)*

## *Section 1—General*

### 204.01—PROGRESSIVE PAY

(1) This article shall apply to an officer or man of the:

(*a*) Regular Force; and

(*b*) Reserves when performing Continuous Naval Duty.

(2) Subject to the provisions of this article, an officer or man shall be granted progressive pay increases for service in his confirmed or paid acting rank at the rates prescribed in the table to article 204.21 or 204.30, as applicable.

(3) Qualifying service for progressive pay shall include all previous service, other than that prescribed in (4) of this article, that has been performed by an officer or man in his present rank, equivalent rank or any higher rank, including paid acting rank in:

(*a*) the permanent armed forces of His Majesty;

(*b*) any component of His Majesty's armed forces when on active service; and

(*c*) the Reserves on Continuous Naval Duty or Special Naval Duty.

(4) Qualifying service for progressive pay shall not include:

(*a*) any period during which pay is forfeited; or

(*b*) any period of leave without pay; or

(*c*) any service performed prior to a continuous interruption of three years or more during which no service designated in (3) of this article was performed; or

(*d*) any service which is not declared on enrolment; or

(*e*) any service performed prior to a promotion, other than

(i) service performed in a paid acting rank which is held immediately prior to confirmation in that rank, or

(ii) the service described in (7) of this article.

(5) An officer or man who is promoted to a higher rank effective the date of his enrolment or effective the day following his enrolment, shall, for the purpose of progressive pay increases, be deemed to have been enrolled in the rank to which promoted.

## 204.01—PROGRESSIVE PAY—cont'd.

(6) On reduction or reversion to a lower rank, the rate of pay to which an officer or man is entitled for that lower rank, shall, subject to (4) of this article, be determined by the inclusion of all previous service in that rank and in any higher rank.

(7) When computing progressive pay, the service of:

(*a*) a lieutenant shall be adjusted by the addition of all qualifying service as a commissioned officer (branch) and warrant officer;

(*b*) a commissioned officer (branch) shall be adjusted by the addition of all qualifying service as a warrant officer; and

(*c*) an able seaman shall be adjusted by the addition of all qualifying service as an ordinary seaman.

(G)

## 204.02—PAY WHEN ON LEAVE

An officer or man shall be entitled to pay for any period of leave, except when the leave has been granted as leave without pay.

(*See article 205.05—"Subsistence, Quarters and Ration Allowances during periods of authorized absence".*)

(G)

## 204.03—PAY—PERSONNEL DECEASED OR MISSING

(1) This article shall apply to an officer or man of the:

(*a*) Regular Force; and

(*b*) Reserves when performing Continuous Naval Duty.

(2) Pay shall be credited to the account of an officer or man to the end of the month in which:

(*a*) his death occurs; or

(*b*) his death is presumed to have occurred; or

(*c*) he is officially reported missing.

(3) When an officer or man dies or is presumed to have died in a month subsequent to that in which he is officially reported missing, his account shall be credited with pay to the end of the month in which his death occurs or is presumed to have occurred.

(4) When an officer or man officially reported dead or missing is later found to be alive, his account shall be adjusted as though he had not been reported dead or missing.

(*For payments to dependents of personnel deceased or missing see section 7 of Chapter 205.*)

(G)

## 204.04—PAY—DIVISIONAL DRILLS

(1) Subject to article 204.05, an officer or man of the Reserves when performing Divisional Drills shall be entitled to:

(*a*) pay at the basic rate prescribed for his rank, and if applicable, trade group; and

(*b*) responsibility, risk or diving allowances, as applicable, at the rates and under the conditions prescribed in these Regulations for the rank held.

(2) For the purpose of computing entitlement under this article, an officer or man shall be paid:

(*a*) one-half of the daily rate for a period of

(i) two hours or more but less than six hours, when the Divisional Drill commences after 1800, or

(ii) three hours or more but less than six hours, when the Divisional Drill commences before 1800; or

(*b*) the full daily rate for a continuous period of not less than six hours and not more than twenty-four hours.

(3) (*a*) An officer or man shall not be entitled to pay in excess of the full daily rate in respect of the Divisional Drill or Drills performed during any one day.

(*b*) An officer or man shall not be entitled to pay for Divisional Drills while undergoing Continuous Naval Duty, Naval Training or Special Duty.

(4) An officer or man of the Reserves who is exempted from the performance of Divisional Drills by reason of his employment afloat in the Merchant Navy shall be paid thirty-two days' pay of his rank, and, if applicable, trade group:

(*a*) on completion of each period of two years' service on the Active List; and

(*b*) subject to his having completed a total of twenty-eight days' Naval Training during the two-year period for which he is paid.

(5) When the duty to be performed renders the application of (2) of this article inequitable or not administratively practical for personnel of a University Naval Training Division, the Minister may authorize entitlement to pay for the number of days considered suitable for completion of the duty prescribed. (*18 Aug 53*)

(G)

## 204.05—RESTRICTION OF PAY—NAVAL TRAINING AND DIVISIONAL DRILLS

The pay issuable to an officer or man in any one training year in respect of Naval Training and Divisional Drills shall not exceed pay for the maximum permissible number of days of training prescribed by the Chief of the Naval Staff for the training year concerned.

(G)

**(204.06 TO 204.19 INCLUSIVE: NOT ALLOCATED)**

## *Section 2—Pay of Officers*

### 204.20—CONSOLIDATED PAY

An officer in receipt of consolidated pay shall not be entitled to the pay and allowances prescribed in these Regulations, except transportation and travelling allowances at the rates and under the conditions prescribed in Chapter 209.

(G)

### 204.21—RATES OF PAY—OFFICERS

The rate of pay for an officer shall be as prescribed for his rank and service in the table to this article.

(G)

TABLE TO ARTICLE 204.21

| Rank | Monthly Rates of Pay | | | |
|---|---|---|---|---|
| | Basic pay | With 3 years' progressive pay | With 6 years' progressive pay | With 9 years' progressive pay |
| | $ | $ | $ | $ |
| Rear-Admiral | 1,041.00 | | | |
| Commodore | 877.00 | | | |
| Captain | 655.00 | 690.00 | 725.00 | |
| Commander | 495.00 | 530.00 | 565.00 | 600.00 |
| Lieutenant-Commander | 405.00 | 430.00 | 455.00 | 480.00 |
| Lieutenant | 325.00 | 350.00 | 375.00 | 400.00 |
| Commissioned Officer (Branch) | 323.00 | 338.00 | 353.00 | 368.00 |
| Sub-Lieutenant | 245.00 | 280.00 | 295.00 | |
| Acting Sub-Lieutenant | 200.00 | | | |
| Midshipman | 140.00 | | | |

(G) (PC 1956–565 of 12 Apr 56) (1 Apr 56)

**(204.22 AND 204.225: RESERVED—ARMY AND AIR FORCE)**

**(204.23 TO 204.29 INCLUSIVE: NOT ALLOCATED)**

## *Section 3—Pay of Men*

### 204.30—RATES OF PAY AND TRADE GROUPS—MEN

The rate of pay for a man shall be as prescribed for his rank, service and trade group in the table to this article.

(G)

TABLE TO ARTICLE 204.30

| Rank | Monthly Rates of Pay | | | | |
|---|---|---|---|---|---|
| | Standard Group | Trade Group 1 | Trade Group 2 | Trade Group 3 | Trade Group 4 |
| | $ | $ | $ | $ | $ |
| Chief Petty Officer 1st Class— | | | | | |
| Basic rate | 252.00 | 262.00 | 277.00 | 297.00 | 312.00 |
| With 3 years' progressive pay | 257.00 | 267.00 | 282.00 | 302.00 | 317.00 |
| With 6 years' progressive pay | 262.00 | 272.00 | 287.00 | 307.00 | 322.00 |
| With 9 years' progressive pay | 267.00 | 277.00 | 292.00 | 312.00 | 327.00 |
| Chief Petty Officer 2nd Class— | | | | | |
| Basic rate | 223.00 | 233.00 | 248.00 | 268.00 | 283.00 |
| With 3 years' progressive pay | 228.00 | 238.00 | 253.00 | 273.00 | 288.00 |
| With 6 years' progressive pay | 233.00 | 243.00 | 258.00 | 278.00 | 293.00 |
| With 9 years' progressive pay | 238.00 | 248.00 | 263.00 | 283.00 | 298.00 |
| Petty Officer 1st Class— | | | | | |
| Basic rate | 193.00 | 203.00 | 218.00 | 238.00 | 253.00 |
| With 3 years' progressive pay | 198.00 | 208.00 | 223.00 | 243.00 | 258.00 |
| With 6 years' progressive pay | 203.00 | 213.00 | 228.00 | 248.00 | 263.00 |
| With 9 years' progressive pay | 208.00 | 218.00 | 233.00 | 253.00 | 268.00 |
| Petty Officer 2nd Class— | | | | | |
| Basic rate | 172.00 | 182.00 | 197.00 | 217.00 | 232.00 |
| With 3 years' progressive pay | 177.00 | 187.00 | 202.00 | 222.00 | 237.00 |
| With 6 years' progressive pay | 182.00 | 192.00 | 207.00 | 227.00 | 242.00 |
| With 9 years' progressive pay | 187.00 | 197.00 | 212.00 | 232.00 | 247.00 |
| Leading Seaman— | | | | | |
| Basic rate | 155.00 | 165.00 | 180.00 | 200.00 | 215.00 |
| With 3 years' progressive pay | 158.00 | 168.00 | 183.00 | 203.00 | 218.00 |
| With 6 years' progressive pay | 161.00 | 171.00 | 186.00 | 206.00 | 221.00 |
| With 9 years' progressive pay | 164.00 | 174.00 | 189.00 | 209.00 | 224.00 |
| Able Seaman— | | | | | |
| Basic rate | 119.00 | 129.00 | 144.00 | 164.00 | 179.00 |
| With 3 years' progressive pay | 139.00 | 149.00 | 164.00 | 184.00 | 199.00 |
| With 6 years' progressive pay | 145.00 | 155.00 | 170.00 | 190.00 | 205.00 |
| Ordinary Seaman— | | | | | |
| Of the Regular Force under 17 years of age | 50.00 | | | | |
| Basic rate | 100.00 | 110.00 | 125.00 | 145.00 | 160.00 |
| Trained | 106.00 | 116.00 | 131.00 | 151.00 | 166.00 |

(G) (PC 1956-565 of 12 Apr 56) (1 Apr 56)

**204.305—PAY—TRADE GROUPS**

(1) Within the authorized complement, a man who qualifies for a trade group under the conditions prescribed by the Minister shall be paid at the monthly rate prescribed for his trade group in the table to article 204.30.

(2) Payment for a trade group shall:

(*a*) commence on the day on which the trade group is granted; and

(*b*) terminate at the end of the day on which, for any reason, a man ceases to hold the trade group.

(3) When a man is reverted in rank for unsuitability, the Senior Officer in Chief Command may direct that the man relinquish his trades pay or revert to a lower rate of trades pay.

(C)

**204.306—INCREASE OF PAY DURING SERVICE AS AN ORDINARY SEAMAN**

(1) The Captain shall authorize payment of the increased rate of pay prescribed in the table to article 204.30 for an ordinary seaman (basic rate) to a man of the Regular Force who has attained the age of 17 years.

(2) Subject to (4) of this article, the Captain shall authorize payment of the increased rate of pay prescribed in the table to article 204.30 for an ordinary seaman (trained) to a man who has:

(*a*) attained the age of 17 years, and completed six months' service as prescribed in (3) of this article; and

(*b*) successfully completed, if a member of the

(i) Regular Force, the prescribed basic training in a new entry training establishment, or

(ii) Reserves, the new entry training syllabus in a Naval Division. *(1 Aug 52)*

(3) (*a*) Except as prescribed in (*b*) of this paragraph, all time served as an ordinary seaman since entry in the component of the navy to which the man belongs shall count towards the six months' service, including, in the case of transfers from one branch or trade to another, service as an ordinary seaman in both branches or trades.

(*b*) The following time as an ordinary seaman shall not count toward the six months' service

(i) time before and while in desertion, and

(ii) non-active service in the Reserves during any period when the navy is on active service.

(4) An ordinary seaman of the Regular Force who fulfils the requirement of (2)(*b*)(i) of this article subsequent to fulfilling the requirements of (2)(*a*) of this article shall be paid the higher rate retroactively from the date:

(*a*) following completion of six months' service; or

(*b*) he attains the age of 17 years;

whichever is the later. *(24 Jul 56)*

(C)

**(204.31: NOT ALLOCATED)**

**(204.32: RESERVED—ARMY)**

**(204.33 TO 204.39 INCLUSIVE: NOT ALLOCATED)**

AL 29

"AL.34" ~~Delete (204.33 to 204.39 Inclusive - not allocated)~~ and ~~Substitute~~ (204.33 to 204.99 Inclusive - not allocated)

# CHAPTER 205

# ALLOWANCES FOR OFFICERS AND MEN

*(Refer carefully to article 1.02 (Definitions) when reading every regulation in this chapter.)*

## *Section 1—Subsistence, Quarters and Ration Allowances*

### 205.01—SUBSISTENCE, QUARTERS AND RATION ALLOWANCES—RATES AND CONDITIONS

(1) An officer or man while serving at his normal place of duty shall:

(*a*) when quarters are not available and rations are not provided, be paid Subsistence Allowance at the monthly rate prescribed for his rank and status in the table to this article; or *(1 May 53)*

(*b*) when quarters are not available but rations are provided, be paid Quarters Allowance at the monthly rate prescribed for his rank in the table to this article; or

(*c*) when quarters are available and

(i) rations are not provided, be paid Ration Allowance at the monthly rate prescribed in the table to this article, or

(ii) rations are not available, be paid Ration Allowance in accordance with such scale, not in excess of $60.00 per month, as may be authorized by the Minister.

(2) For the purpose of this article availability of quarters shall be determined in accordance with such scale of accommodation as may be prescribed from time to time by the Chief of the Naval Staff.

(3) An officer or man who is in receipt of Separated Family's Allowance shall, for the purpose of determining the availability of quarters, be deemed to be a single man.

(G) (1 Dec 51)

TABLE TO ARTICLE 205.01

| RANK | Monthly Rates | | | |
|---|---|---|---|---|
| | Subsistence Allowance | | Quarters Allowance | Ration Allowance |
| | Personnel NOT in receipt of MA | Personnel in receipt of MA | | |
| | Column "A" | Column "B" | Column "C" | Column "D" |
| Rear Admiral | $165.00 | $165.00 | $70.00 | |
| Commodore | 153.00 | 153.00 | 68.00 | |
| Captain | 139.00 | 139.00 | 64.00 | |
| Commander | 126.00 | 126.00 | 58.00 | |
| Lieutenant-Commander | 113.00 | 113.00 | 53.00 | |
| Lieutenant and Commissioned Officer (Branch) | 94.00 | 110.00 | 43.00 | |
| Sub-Lieutenant | 89.00 | 110.00 | 43.00 | |
| Acting Sub-Lieutenant | 65.00 | 91.00 | 25.00 | |
| Midshipman | 61.00 | 91.00 | 24.00 | |
| Chief Petty Officer 1st Class | 92.00 | 102.00 | 40.00 | All ranks $30.00 except as prescribed in article 205.01(1) (c) (ii) |
| Chief Petty Officer 2nd class and Petty Officer 1st class | 81.00 | 91.00 | 35.00 | |
| Petty Officer 2nd class | 72.00 | 91.00 | 30.00 | |
| Leading Seaman and below | 61.00 | 91.00 | 24.00 | |

*(For continuation of Subsistence, Quarters and Ration Allowances when an officer or man is absent from his normal place of duty, see articles 205.05 and 205.06.)*

(G) (1 May 53)

## 205.02—MEAL ALLOWANCES—RESERVES

(1) Subject to any limitations prescribed by the Chief of the Naval Staff, an officer or man of the Reserves, other than one who is in receipt of Subsistence Allowance or Ration Allowance, who attends a Divisional Drill, parade or exercise over a meal hour shall, if a meal is required and cannot be provided from Government sources, be paid meal allowance at the rate of seventy-five cents per meal.

(2) The allowance prescribed in (1) of this article shall be payable in the manner prescribed by the Chief of the Naval Staff.

(G)

## (205.03 AND 205.04: NOT ALLOCATED)

## 205.05—SUBSISTENCE, QUARTERS AND RATION ALLOWANCES DURING PERIODS OF AUTHORIZED ABSENCE

(1) This article shall not apply to any period of rehabilitation leave. (*See article 205.06.*)

(2) An officer or man who:

(*a*) is in receipt of Subsistence, Quarters or Ration Allowance shall continue to receive the allowance during any period of absence from his normal place of duty on leave with pay or on duty; or

(*b*) is not in receipt of Subsistence or Ration Allowance shall be paid Ration Allowance at the rate prescribed in the table to article 205.01 during any period of leave with pay, other than short leave.

(3) An officer or man of the:

(*a*) Regular Force or of the Reserves on Continuous Naval Duty who is in receipt of Subsistence, Quarters or Ration Allowance shall continue to receive the allowance during any period in hospital; or

(*b*) Reserves other than one on Continuous Naval Duty who is in receipt of Subsistence, Quarters or Ration Allowance shall be governed by article 210.72 (Disability Compensation—Reserves) during any period in hospital.

(4) Subsistence, Quarters or Ration Allowance shall not be commenced during any period that an officer or man is absent from his normal place of duty except:

(*a*) as prescribed in (2) (*b*) of this article;

(*b*) as prescribed in article 210.72 (Disability Compensation—Reserves); and

(*c*) when an officer or man is on leave with pay or absent on duty and his dependents are moved in accordance with article 209.82 (Transportation of Dependents) and have arrived at the new place of duty. (*13 Sep 56*)

(G)

## 205.06—SUBSISTENCE, QUARTERS AND RATION ALLOWANCES WHEN ON REHABILITATION LEAVE

(1) An officer or man who is granted rehabilitation leave shall, for the period of the leave:

(*a*) if not provided with quarters and rations, be paid Subsistence Allowance at the rate prescribed for his rank in the table to article 205.01; or

**205.06—SUBSISTENCE, QUARTERS AND RATION ALLOWANCES WHEN ON REHABILITATION LEAVE (Cont'd)**

(*b*) if provided with quarters but not provided with rations, be paid Ration Allowance at the rate prescribed in the table to article 205.01.

(2) When an officer or man occupies quarters and is provided with rations during any period of rehabilitation leave, he shall not be entitled to Subsistence, Quarters or Ration Allowance during that period.

(G)

**(205.07: NOT ALLOCATED)**

**205.08—SUBSISTENCE, QUARTERS AND RATION ALLOWANCES—PERSONNEL DECEASED OR MISSING**

(1) This article shall apply to an officer or man of the:

(*a*) Regular Force; and

(*b*) Reserves when performing Continuous Naval Duty.

(2) When an officer or man is entitled to Subsistence, Quarters or Ration Allowance on the date he dies or is officially reported missing, the allowance shall continue to be credited to his pay account to the end of the month in which his death occurs or he is officially reported missing.

(*See article 205.42—"Supplementary and Rent Allowances—Personnel Deceased or Missing".*)

(G)

**205.09—REIMBURSEMENT FOR RENT OR LEASE LIABILITY**

(1) The provisions of this article shall apply to an officer or man of the:

(*a*) Regular Force; and

(*b*) Reserves, when performing Continuous Naval Duty.

(2) When an officer or man in receipt of Subsistence or Quarters Allowance vacates rented or leased accommodation as a result of:

(*a*) his being appointed or drafted, other than temporarily, to another ship or establishment; or

(*b*) his being ordered into public quarters; or

## 205.09—REIMBURSEMENT FOR RENT OR LEASE LIABILITY (Cont'd)

(*c*) the home port of the ship in which he is serving being changed;

he shall be entitled to reimbursement for rent paid or for any liability under a lease, other than for damages, within the limitations prescribed in (3) of this article.

(3) When an officer or man becomes eligible for reimbursement under (2) of this article, the period for which reimbursement is payable shall commence on the date he vacates the rented or leased accommodation and shall not exceed:

(*a*) one month, if not in receipt of Marriage Allowance; or

(*b*) three months, if in receipt of Marriage Allowance.

(4) (*a*) When the dependents of an officer or man who has been moved in any of the circumstances described in (2) of this article and who is in receipt of Separated Family's Allowance, vacate rented or leased accommodation in order to join him, the officer or man shall be reimbursed in accordance with (*b*) of this paragraph for rent paid or for any liability under a lease.

(*b*) Reimbursement shall be paid for a period not exceeding three months commencing on the date the dependents vacated the rented or leased accommodation.

(G) (PC 57/4861 of 14 Sep 51) (NS 2420-22) (1 Sep 51)

## (205.10 TO 205.19 INCLUSIVE: NOT ALLOCATED)

### *Section 2—Marriage, Separated Family's and Maintenance Allowances*

## 205.20—MARRIAGE ALLOWANCE—GENERAL CONDITIONS

(1) This article shall apply to an officer or man of the:

(*a*) Regular Force; and

(*b*) Reserves on Continuous Naval Duty.

(2) For the purpose of this article:

(*a*) an officer or man shall be deemed not to be married if

(i) his marriage has been dissolved or annulled in any jurisdiction, whether or not such dissolution or annulment is recognized by or under the laws of Canada or of any province thereof, and he has not remarried, or

(ii) his wife has obtained an order or decree enforceable under the laws of Canada or of any province thereof requiring payments to be made in respect of her support;

**205.20—MARRIAGE ALLOWANCE—GENERAL CONDITIONS—(Cont'd)**

(*b*) "dependent child" means legitimate child, step-child, or an adopted child, who is

(i) under 18 years of age, or of any age if prevented from earning a living by reason of mental or physical infirmity,

(ii) in law or in fact in the custody and control of the officer or man,

(iii) dependent upon the officer or man for support, and

(iv) in the case of a female, unmarried;

(*c*) (i) a child is "in law or in fact in the custody and control of the officer or man" when a court decree or judgment or separation agreement exists, the terms of which award the custody of the child to the officer or man, or make no provision for the child but the child is actually in the custody of the officer or man, or a court decree or judgment or separation agreement does not exist but the child is actually in the custody of the officer or man, and

(ii) a child is not "in law or in fact in the custody and control of the officer or man" when a court decree or judgment or separation agreement exists, the terms of which award the custody of the child to the wife.

(3) Subject to the provisions of article 207.03 (Supporting Assignments) and to (4) and (6) of this article, an officer or man shall be paid Marriage Allowance at the rate prescribed for his status in the table to article 205.21 if: *(3 Oct 52)*

(*a*) (i) he is married, or

(ii) he is not married but has at least one dependent child, or

(iii) he is married and has a dependent child but the Chief of the Naval Staff authorizes Marriage Allowance in respect of the child rather than in respect of the wife; and

(*b*) (i) in the case of an officer, he was in receipt of Marriage Allowance as a man immediately prior to his promotion to officer rank, or

(ii) in the case of an officer other than one described in (i) of this subparagraph, he has attained the age of twenty-three years, or

(iii) in the case of a man, he has attained the age of twenty-one years, or

(iv) the Minister directs that the age limitations in (b)(ii) or (b)(iii) of this subparagraph, as appropriate, be waived.

(4) Unless the Chief of the Naval Staff otherwise directs, entitlement to Marriage Allowance shall not be retroactive for any period exceeding three months from the date of application for the allowance.

(5) Applications for Marriage Allowance shall be submitted and verification of married status supplied as prescribed by the Chief of the Naval Staff.

(6) When the marriage of an officer or man takes place outside Canada, entitlement to Marriage Allowance shall be subject to any restrictions imposed by the Minister.

(G) *(3 Oct 52)*

## 205.21—MARRIAGE ALLOWANCE—RATES

(1) The monthly rates of Marriage Allowance shall be as prescribed in the table to this article.

(2) The categorization of married quarters as permanent or temporary shall be as prescribed from time to time by the Minister.

(G)

TABLE TO ARTICLE 205.21

| Status | Monthly Rate |
|---|---|
| | $ |
| Officer not occupying either permanent or temporary married quarters | 40.00 |
| Officer occupying permanent married quarters | 30.00 |
| Officer occupying temporary married quarters | 37.50 |
| Man not occupying either permanent or temporary married quarters | 30.00 |
| Man occupying permanent married quarters | 20.00 |
| Man occupying temporary married quarters | 27.50 |

(G)

## 205.22—MARRIAGE ALLOWANCE—CESSATION

(1) Subject to article 203.02 (Cessation of Pay and Allowances), an officer or man who is in receipt of Marriage Allowance shall:

(*a*) continue to be entitled to the allowance to the end of the month in which

(i) he dies or is officially reported missing (*see article 205.71—(Interim Allowance for Dependents—Regular Force and Reserves on Continuous Naval Duty)*), or

(ii) a change in circumstances occurs which makes him no longer eligible under article 205.20;

(*b*) cease to be entitled to the allowance at the end of the twenty-first day of absence when he is an absentee marked "Run" in accordance with article 19.64 (When Absentees to be marked "Run"); and

(*c*) unless the Chief of the Naval Staff directs that this supporting assignment be reduced or waived under article 207.03 (Supporting Assignments), cease to be entitled to the allowance at the end of the day on which the supporting assignment is reduced below the minimum required under article 207.03 or stopped.

(2) An officer or man who is in receipt of Marriage Allowance shall notify his Captain of any circumstance which might affect his entitlement to the allowance, and if he fails to do so he shall be held liable for any overpayment of the allowance which may occur.

(3) The Captain shall report to Naval Headquarters any circumstance which brings into doubt the entitlement of an officer or man to receive Marriage Allowance and shall request a decision as to whether or not the officer or man is to receive the allowance.

(G) (1 Jan 52)

## 205.23—MARRIAGE ALLOWANCE—PERSONNEL REPORTED ABSENT WITHOUT AUTHORITY FOUND TO BE IN CIVIL CUSTODY

(1) Notwithstanding the provisions of article 205.22 (Marriage Allowance—Cessation), an officer or man who has been reported absent without authority for a continuous period of twenty-one days and who is subsequently found to be in civil custody shall cease to be entitled to Marriage Allowance at the end of the twenty-first day of absence.

(2) When Marriage Allowance has been ceased in accordance with (1) of this article, entitlement to the allowance may only be reinstated on the authority of the Minister as of a date determined by him, if the officer or man is eligible under the provisions of article 205.20 (Marriage Allowance—General Conditions) and is to be retained in the navy on discharge from civil custody.

(G) (PC 1955-9/1317 of 1 Sep 55) (NS 2420-295) (1 Sep 55)

## 205.24—SEPARATED FAMILY'S ALLOWANCE—GENERAL CONDITIONS

(1) Subject to (2) and (3) of this article, an officer or man who is in receipt of Marriage Allowance shall be entitled to receive Separated Family's Allowance:

(*a*) if he has no dependent child, as defined in article 205.20, at the rate prescribed in column "A", "B", "E" or "F" of the table to article 205.26, as applicable; or

(*b*) if Marriage Allowance is payable on behalf of his wife and he has a dependent child, as defined in article 205.20, at the rate prescribed in column "C", "D", "G" or "H" of the table to article 205. 26, as applicable; or

(*c*) if Marriage Allowance is payable on behalf of a dependent child who normally resides with the officer or man at his place of duty, at the rate prescribed in column "A", "B", "E" or "F" of the table to article 205.26, as applicable.

(*3 Oct 56*)

(2) Separated Family's Allowance shall be payable as prescribed in (1) of this article, if:

(*a*) the officer or man is appointed or drafted

(i) outside of Canada and is not accompanied at public expense by his wife or by his dependent child, as applicable,

(ii) in circumstances where his wife or his dependent child, as applicable, cannot be moved at public expense, except that Separated Family's Allowance shall not be paid when an officer or man is enrolled outside Canada and the United States of America and he is prevented from claiming reimbursement for transportation of his dependents under the provisions of article 209.82(1) (c),

(iii) and is not accompanied by his wife or by his dependent child, as applicable, owing to the temporary physical condition of his wife or any of his dependent children, as certified by a physician and verified by the command medical officer,

(iv) to a fleet establishment where married quarters are not available and appropriate private accommodation for his wife or his dependent child, as applicable, cannot be obtained in the area in which the fleet establishment is located and the Captain, being satisfied that appropriate accommodation is not available, has authorized the officer or man to occupy single quarters and draw rations,

## 205.24—SEPARATED FAMILY'S ALLOWANCE—GENERAL CONDITIONS —(Cont'd)

(v) to a fleet establishment where neither married nor single quarters are available and appropriate private accommodation for his wife or his dependent child, as applicable, cannot be obtained in the area in which the fleet establishment is located, or

(vi) to a ship in commission; or

(*b*) suitable private accommodation for his wife or his dependent child, as applicable, is available, but the officer or man has for service reasons been ordered to occupy single quarters; or

(*c*) the wife or dependent child, as applicable, has been moved at public expense, on the authority of the Minister, from the place at which the officer or man is serving.

(3) (*a*) Entitlement under (2) (a) (iii) and (iv) of this article shall be restricted to a period of sixty-one days from the date of reporting for duty.

(*b*) Entitlement under (2) (a) (v) of this article

(i) shall require the authority of the Captain for a period not exceeding fourteen days from the date of reporting,

(ii) may be extended for a further period of sixteen days under the authority of the Senior Officer in Chief Command, and

(iii) may be extended for a further period of thirty-one days under the authority of the Minister.

(*c*) Entitlement under (2) (b) of this article shall require the certification of the Captain that the officer or man has been ordered to occupy single quarters.

(*d*) Entitlement under (2) (c) of this article shall cease when the officer or man is next appointed or drafted in circumstances where his wife or dependent child, as applicable, can be moved at public expense.

(4) Notwithstanding the provisions of (2) (a) (ii) of this article, an officer or man who is entitled to receive Subsistence or Ration Allowance during a period of rehabilitation leave shall not be entitled to Separated Family's Allowance during such period.

(G) (PC 1954-11/1792 of 23 Nov 54) (23 Nov 54)

## 205.25—SEPARATED FAMILY'S ALLOWANCE—RESERVES ON SPECIAL DUTY

(1) An officer or man of the Reserves on Special Duty for a continuous period exceeding fourteen days shall be paid Separated Family's Allowance for the entire period of that duty at the rate prescribed for his rank and status:

(*a*) (i) in column "A" or "B" of the table to article 205.26, as applicable, if he has a wife but has no dependent child as defined in article 205.20 and is not estranged and living apart from his wife, or

(ii) in column "C" or "D" of the table to article 205.26, as applicable, if he has a wife and has a dependent child as defined in article 205.20 and is not estranged and living apart from his wife, or

**205.25—SEPARATED FAMILY'S ALLOWANCE—RESERVES ON SPECIAL DUTY—(Cont'd)**

(iii) in column "A" or "B" of the table to article 205.26, as applicable, if he has no wife or is estranged and living apart from his wife but has a dependent child as defined in article 205.20; and

(*b*) if his wife or dependent child is not resident in the locality in which he is performing his Special Duty, unless he has been ordered to occupy single quarters.

(2) An officer or man shall be entitled to Separated Family's Allowance at the rates prescribed in columns "A" to "D" of the table to article 205.26, as applicable, notwithstanding that he may be in receipt of Subsistence Allowance under article 205.01.

(G) (1 May 53)

**205.26—SEPARATED FAMILY'S ALLOWANCE—RATES**

Except as prescribed in article 205.25(2), the monthly rate of Separated Family's Allowance shall be as prescribed in the table to this article.

(G) (1 May 53)

## 205.26—SEPARATED FAMILY'S ALLOWANCE—RATES—(Cont'd)

### TABLE TO ARTICLE 205.26

MONTHLY RATES

| RANK | Personnel not in Receipt of Subsistence Allowance | | | | Personnel in Receipt of Subsistence Allowance | | | |
|---|---|---|---|---|---|---|---|---|
| | Without Children | | With Children | | Without Children | | With Children | |
| | Family Not Occupying Married Quarters | Family Occupying Married Quarters | Family Not Occupying Married Quarters | Family Occupying Married Quarters | Family Not Occupying Married Quarters | Family Occupying Married Quarters | Family Not Occupying Married Quarters | Family Occupying Married Quarters |
| | Column "A" | Column "B" | Column "C" | Column "D" | Column "E" | Column "F" | Column "G" | Column "H" |
| Rear Admiral | $150.00 | | $165.00 | | $150.00 | $15.00 | $165.00 | $30.00 |
| Commodore | 138.00 | | 153.00 | | 138.00 | 15.00 | 153.00 | 30.00 |
| Captain | 124.00 | | 139.00 | | 124.00 | 15.00 | 139.00 | 30.00 |
| Commander | 111.00 | | 126.00 | | 111.00 | 15.00 | 126.00 | 30.00 |
| Lieutenant-Commander | 98.00 | | 113.00 | | 98.00 | 15.00 | 113.00 | 30.00 |
| Lieutenant and Commissioned Officer (Branch) | 95.00 | ALL | 110.00 | ALL | 79.00 | ..... | 94.00 | 14.00 |
| Sub-Lieutenant | 95.00 | | 110.00 | | 74.00 | ..... | 89.00 | 9.00 |
| Acting Sub-Lieutenant | 76.00 | | 91.00 | | 50.00 | ..... | 65.00 | 4.00 |
| Midshipman | 76.00 | RANKS | 91.00 | RANKS | 46.00 | ..... | 61.00 | ..... |
| Chief Petty Officer 1st class | 87.00 | $15.00 | 102.00 | $30.00 | 77.00 | 5.00 | 92.00 | 20.00 |
| Chief Petty Officer 2nd class and Petty Officer 1st class | 76.00 | | 91.00 | | 66.00 | 5.00 | 81.00 | 20.00 |
| Petty Officer 2nd class | 76.00 | | 91.00 | | 57.00 | ..... | 72.00 | 11.00 |
| Leading Seaman and below | 76.00 | | 91.00 | | 46.00 | ..... | 61.00 | ..... |

(G) (1 May 53)

NOTE—For the purpose of this table 'Married Quarters' does not include emergency married quarters.

(G) (PC 1954-11/1792 of 23 Nov 54) (23 Nov 54)

## 205.27—SEPARATED FAMILY'S ALLOWANCE—PERSONNEL DECEASED OR MISSING

(1) This article shall apply to an officer or man of the:

(*a*) Regular Force; and

(*b*) Reserves on Continuous Naval Duty.

(2) When an officer or man is entitled to Separated Family's Allowance on the date he dies or is officially reported missing, the allowance shall continue to be credited to his pay account to the end of the month in which his death occurs or he is officially reported missing.

(*See article 205.71—"Interim Allowance for Dependents—Regular Force and Reserves on Continuous Naval Duty".*)

(G)

## 205.275—SEPARATED FAMILY'S ALLOWANCE—DURING PERIODS OF FORFEITURE

(1) When an officer or man in receipt of Marriage Allowance and Separated Family's Allowance is marked "Run" or "R.Q." he shall cease to be entitled to Separated Family's Allowance at the end of the twenty-first day of that absence.

(2) When an officer or man in receipt of Marriage Allowance but not in receipt of Separated Family's Allowance:

(*a*) is reported absent without authority for a continuous period exceeding seven days, he shall be entitled to Separated Family's Allowance at the rate prescribed for his rank and status in the table to article 205.26 for the entire period of that absence but not exceeding twenty-one days; or

(*b*) is subject to any forfeiture prescribed in article 208.30(1) (*c*), (*d*) or (*e*) (Forfeitures—Officers and Men) for a continuous period exceeding seven days, he shall be entitled to Separated Family's Allowance at the rate prescribed for his rank and status in the table to article 205.26, for the entire period of the forfeiture.

(G) (1 Jan 52)

## 205.28—MAINTENANCE ALLOWANCE

(1) This article shall apply to an officer or man of the :

(*a*) Regular Force; and

(*b*) Reserves when performing Continuous Naval Duty.

(2) Subject to (4) of this article, an officer or man shall be paid Maintenance Allowance if he:

(*a*) is not in receipt of Marriage Allowance; and

(*b*) is subject to a compulsory assignment under article 207.02 which exceeds ten days' pay of his rank.

(3) The monthly rate of Maintenanee Allowance shall be the amount by which the monthly assignment under article 207.02 is greater than ten days' pay of rank of the officer or man, but not exceeding:

**205.28—MAINTENANCE ALLOWANCE—(Cont'd)**

(*a*) for an officer.....$30.00; or
(*b*) for a man.....$20.00.

(4) Maintenance Allowance shall not be payable when the compulsory assignment is imposed in respect of an illegitimate child, except when the child has become illegitimate by a decree of nullity of marriage.

(G)

**205.29—MAINTENANCE ALLOWANCE—PERSONNEL DECEASED OR MISSING**

When an officer or man who is in receipt of Maintenance Allowance as prescribed in article 205.28, dies or is officially reported missing, his pay account shall continue to be credited with the allowance to the end of the month in which his death occurs or he is officially reported missing.

(G) (PC 1954–11/659 of 6 May 54) (6 May 54)

***Section 3 — Risk, Responsibility, Diving, Aircrew, and Submarine Allowances***

**205.30—RISK ALLOWANCE**

(1) An officer or man who is not entitled to Aircrew Allowance under article 205.35 shall be paid Risk Allowance at the rate of $30.00 per month while: (*1 Jul 56*)

(*a*) undergoing flying training or filling an appointment or assigned for service requiring active and continuous engagement in flying duties; or
(*b*) undergoing parachutist training or filling an appointment or assigned for service requiring active and continuous engagement in parachute jumping. (*1 Jan 57*)

(2) Entitlement to Risk Allowance shall:

(*a*) commence on the date on which the officer or man commences the training or duty prescribed in (1) of this article; and
(*b*) except as prescribed in articles 203.29 and 205.31, cease at the end of the day on which the officer or man ceases his training or vacates his appointment.

(G)

**205.31—RISK ALLOWANCE—PERSONNEL DECEASED OR MISSING**

When an officer or man is entitled to Risk Allowance as prescribed in article 205.30 on the date he dies or is officially reported missing, the allowance shall continue to be credited to his pay account to the end of the month in which his death occurs or he is officially reported missing.

(G)

**205.32—RESPONSIBILITY ALLOWANCE**

(1) An officer or man shall be paid Responsibility Allowance in accordance with the conditions prescribed in this article and at the rates prescribed in the table to this article.

(2) Entitlement to Responsibility Allowance shall:

(*a*) in the case of an officer

**205.32—RESPONSIBILITY ALLOWANCE—(Cont'd)**

(i) commence on the date on which he assumes the duties of the appointment for which the allowance is payable, and

(ii) except as prescribed in articles 203.29 and 205.33, cease at the end of the day on which his appointment terminates;

(*b*) in the case of a man who is in possession of an Engine Room Watch Certificate and holds the rank prescribed in (*e*) of the table to this article

(i) commence on the effective date of his draft to a ship in commission, and

(ii) except as prescribed in articles 203.29 and 205.33, cease at the end of the day on which termination of his draft becomes effective;

(*c*) in the case of a man who is in possession of an Engine Room Charge Certificate and holds the rank prescribed in (*f*) of the table to this article

(i) commence on the date he obtains the Certificate of Capability of taking charge of the engines of a small ship (Engine Room Charge Certificate), and

(ii) except as prescribed in articles 203.29 and 205.33, cease at the end of the day on which he ceases to hold the certificate; and

(*d*) in the case of a man who is drafted in command of a ship in commission

(i) commence on the effective date of the Draft Order, and

(ii) except as prescribed in articles 203.29 and 205.33, cease at the end of the day on which his draft terminates. *(16 May 53)*

(3) *Reserved (Army and Air Force).*

(4) *Reserved (Army and Air Force).*

(5) Except in the case of men in possession of Engine Room Charge Certificates, Responsibility Allowance shall not be payable to officers or men serving in ships in commission while:

(*a*) under care and maintenance; or

(*b*) laid up; or

(*c*) allocated for service which is normally performed solely in harbour.

(G)

TABLE TO ARTICLE 205.32

| When Payable | Monthly Rate |
|---|---|
| (*a*) When appointed in command | $ |
| (i) an aircraft carrier, a cruiser, or a flotilla of destroyers in commission | 90.00 |
| (ii) an arctic patrol vessel (ice breaker) in commission | 75.00 |
| (iii) a destroyer or A/S escort vessel in commission | 60.00 |
| (iv) a frigate or minesweeper in commission | 30.00 |
| (v) a commissioned ship not designated in (i), (ii), (iii), or (iv) above | 15.00 |
| (*b*) When appointed as the Executive Officer of a ship or fleet establishment | 15.00 |
| (*c*) To a sub-lieutenant or acting sub-lieutenant of the Nursing Branch when | |
| (i) appointed as assistant to a Nursing Officer, or | |
| (ii) in charge of 100 or more beds at a casualty clearing station, hospital or sick bay | 15.00 |
| (*d*) To a surgeon lieutenant, surgeon lieutenant-commander, surgeon commander or surgeon captain | 60.00 |
| (*e*) To a petty officer 1/c or above of the Engine Room Artificer or Motor Mechanic Branch in possession of a Certificate of Capability of taking charge of a watch in the Engine Room (Engine Room Watch Certificate) when afloat | 8.00 |
| (*f*) To a chief petty officer 1/c or 2/c of the Engine Room Artificer or Motor Mechanic Branch in possession of a Certificate of Capability of taking charge of the engines of a small ship (Engine Room Charge Certificate) | 8.00 |
| (*g*) To a man in command of a commissioned ship | 15.00 |

## 205.33—RESPONSIBILITY ALLOWANCE—PERSONNEL DECEASED OR MISSING

When an officer or man is entitled to Responsibility Allowance as prescribed in article 205.32 on the date he dies or is officially reported missing, the allowance shall continue to be credited to his pay account to the end of the month in which his death occurs or he is officially reported missing.

(G)

## 205.34—CLEARANCE DIVING ALLOWANCE

(1) Subject to the conditions prescribed in (2), (3), (4) and (5) of this article, an officer or man qualified as a Clearance Diver, Clearance Diver (Star) or Clearance Diver (Ships) shall be paid Diving Allowance at the rates prescribed in the table to this article.

(2) The allowance shall be paid for all time spent under pressure, either under water or in a decompression chamber.

(3) The rate payable shall be that applicable to the greatest depth or greatest pressure attained.

(4) When he uses self-contained breathing apparatus an officer or man shall be paid double the rate prescribed in the table to this article.

(5) When he uses explosives under water or is engaged in rendering safe or disposing of explosives under water or on the surface, an officer or man shall be paid at:

(*a*) (i) the rate prescribed in the table to this article for the depth at which he is employed, or

(ii) if using self-contained breathing apparatus, double the rate prescribed in the table to this article for the depth at which he is employed; and

(*b*) double the rate for ten fathoms or less as prescribed in the table to this article.

(G) (PC 1955—18/1866 of 21 Dec 55) (21 Dec 55)

TABLE TO ARTICLE 205.34

| Depth in Fathoms | Rates in cents per minute actually spent under water or in a decompression chamber. | |
|---|---|---|
| | Officers<br>Instructors<br>Divers 1st Class | Diver 2nd Class<br>Diver 3rd Class<br>Clearance Diver (Ships) |
| 10 or less | 4 | 3 |
| Over 10 but not over 20 | 5 | 4 |
| Over 20 but not over 30 | 7 | 5 |
| Over 30 but not over 40 | 9 | 7 |
| Over 40 | 15 | 12 |

(G) (PC 1955—18/1866 of 21 Dec 55) (21 Dec 55)

## 205.35—AIRCREW ALLOWANCE

(1) For the purpose of this article:

(*a*) "aircrew" shall mean an officer or man who is qualified to the standard prescribed by the Chief of the Naval Staff in the operation of aircraft or associated airborne equipment and who has been awarded a flying badge in recognition of having attained the standard; and

(*b*) "designated flying unit" shall mean a unit at which aircrew are required actively and continuously to engage in flying duties, as designated in orders issued by the Chief of the Naval Staff.

(2) An officer or man who is aircrew or who is undergoing flying training to become aircrew and authorized in orders issued by the Chief of the Naval Staff to fly as a member of an aircraft crew shall be entitled to Aircrew Allowance at the rates prescribed for his rank and status:

(*a*) in Column "A" or "B" of the table to this article, as applicable, if he is on the strength of a designated flying unit and fills an appointment requiring active and continuous engagement in flying duties; or

(*b*) in Column "C" or "D" of the table to this article, as applicable, if he maintains his flying proficiency in accordance with the standards prescribed by the Minister, and,

(i) he is on the strength of a designated flying unit but does not fill an appointment requiring active and continuous engagement in flying duties, or

(ii) he is not on the strength of a designated flying unit.

(3) When an officer or man has ceased to be entitled to Aircrew Allowance because he has failed to maintain his flying proficiency as required by (2)(b) of this article, entitlement to the allowance may only be reinstated on the authority of the Chief of the Naval Staff as of a date determined by him.

(G) (PC 1957-26/848 of 20 Jun 57) (NS 2420-1) (1 Jul 56)

TABLE TO ARTICLE 205.35

| RANK | MONTHLY RATE | | | |
|---|---|---|---|---|
| | REGULAR FORCE | RESERVES | REGULAR FORCE | RESERVES |
| | Column A | Column B | Column C | Column D |
| Ranks above Commander..... | $135.00 | $125.00 | $100.00 | $90.00 |
| Commander..... | 150.00 | 125.00 | 100.00 | 90.00 |
| Lieutenant Commander..... | 150.00 | 125.00 | 100.00 | 90.00 |
| Lieutenant and Commissioned Officer (Branch)..... | 135.00 | 110.00 | 100.00 | 90.00 |
| Sub-Lieutenant..... | 125.00 | 100.00 | 100.00 | 90.00 |
| Acting Sub-Lieutenant..... | 75.00 | 75.00 | 75.00 | 75.00 |
| Ranks Below Acting Sub-Lieutenant..... | 75.00 | 75.00 | 75.00 | 75.00 |

(G) (PC 1957-26/848 of 20 Jun 57) (NS 2420-1) (1 Jul 56)

## 205.36—AIRCREW ALLOWANCE—PERSONNEL DECEASED OR MISSING

When an officer or man is entitled to Aircrew Allowance as prescribed by article 205.35 on the date he dies or is officially reported missing, the allowance shall continue to be credited to his pay account to the end of the month in which his death occurs or he is officially reported missing.

(G) (PC 1957-26/848 of 20 Jun 57) (NS 2420-1) (1 Jul 56)

## 205.37—SUBMARINE ALLOWANCE

(1) An officer or man undergoing submarine training or filling an appointment or assigned for service in a submarine in commission shall be paid Submarine Allowance as prescribed in the table to this article.

(2) Entitlement to Submarine Allowance shall:

(*a*) commence on the date on which the officer or man commences the training or duty prescribed in (1) of this article; and

(*b*) except as prescribed in articles 203.29 and 205.38, cease at the end of the day on which the officer or man ceases his training or vacates his appointment.

(G) (PC 1957-16/626 of 3 May 57) (NS 2420-381-2) (1 Jan 57)

TABLE TO ARTICLE 205.37

| RANK | MONTHLY RATE |
|---|---|
| Lieutenant Commander and above | $115.00 |
| Lieutenant and Commissioned Officer (Branch) | 100.00 |
| Sub/Lieutenant and A/Sub/Lieutenant | 75.00 |
| Chief Petty Officer 1st Class | 75.00 |
| Chief Petty Officer 2nd Class | 75.00 |
| Petty Officer 1st Class | 70.00 |
| Petty Officer 2nd Class | 70.00 |
| Leading Seaman | 65.00 |
| Able Seaman | 65.00 |

(G) (PC 1957-16/626 of 3 May 57) (NS 2420-381-2) (1 Jan 57)

## 205.38—SUBMARINE ALLOWANCE—PERSONNEL DECEASED OR MISSING

When an officer or man is entitled to Submarine Allowance as prescribed in article 205.37 on the date he dies or is officially reported missing, the allowance shall continue to be credited to his pay account to the end of the month in which his death occurs or he is officially reported missing.

(G) (PC 1957-16/626 of 3 May 57) (NS 2420-381-2) (1 Jan 57)

**(205.39: NOT ALLOCATED)**

*Section 4—Special Allowances*

## 205.40—NORTHERN ALLOWANCE—RATES AND CONDITIONS

(1) For the purpose of this article:

(*a*) "Northern Canada" shall mean that area in Canada bounded on the west by the British Columbia-Alaska boundary and bounded on the south by a line running east along 55 degrees north latitude to 93 degrees west longitude, thence south to 52 degrees north latitude, thence east to 75 degrees west longitude, thence south to 50 degrees north latitude and thence east along 50 degrees north latitude, including the waters and islands located therein:

(*b*) "dependent" shall have the meaning prescribed in article 209.80;

(*c*) "married personnel" shall mean officers and men who are accompanied by their dependents at their establishment in Northern Canada;

(*d*) "single personnel" shall mean officers and men who are single or who are married but not accompanied by their dependents.

(2) Subject to any limitations prescribed by the Chief of the Naval Staff, an officer or man appointed or drafted for duty at an establishment, or on board one of Her Majesty's Canadian ships located in Northern Canada shall be entitled to Northern Allowance determined in accordance with the table to this article.

TABLE TO ARTICLE 205.40

| | Monthly Rate | |
|---|---|---|
| | Single Personnel | Married Personnel |
| | $ | $ |
| Living Allowance | 31.67 | 49.17 |
| plus | | |
| (*a*) if appropriate quarters not provided | 30.00 | 37.50 |
| or | | |
| (*b*) if rations not provided | 38.33 | 38.33 |
| or | | |
| (*c*) if neither appropriate quarters nor rations provided | 68.33 | 75.83 |

(G)

## 205.405—NORTHERN ALLOWANCE—PERSONNEL DECEASED OR MISSING

When an officer or man who is in receipt of Northern Allowance as prescribed in article 205.40, dies or is officially reported missing, his pay account shall continue to be credited with the allowance to the end of the month in which his death occurs or he is officially reported missing.

(G) (PC 1954-11/659 of 6 May 54) (6 May 54)

## 205.41—SUPPLEMENTARY AND RENT ALLOWANCES—PERSONNEL SERVING OUTSIDE CANADA

(1) For the purposes of this article:

(*a*) "accompanied officer or man" means an officer or man appointed or drafted for duty to a country outside Canada whose dependents

(i) have been moved at public expense to that country as a result of the appointment or draft, or

## 205.41—SUPPLEMENTARY AND RENT ALLOWANCES—PERSONNEL SERVING OUTSIDE CANADA—(Cont'd)

(ii) have been acquired in that country during the period of the appointment or draft,

and whose dependents continue to reside there;

(*b*) "unaccompanied officer or man" means an officer or man appointed or drafted for duty to a country outside Canada who does not fall within the definition of an "accompanied officer or man" prescribed in (*a*) of this paragraph;

(*c*) "Rent Allowance" means the allowance, within the maxima prescribed by the Governor in Council, payable in reimbursement of actual expenses, to be accounted for as being additional expenses for lodging properly incurred by reason of higher living costs; and

(*d*) "Supplementary Allowance" means the allowance prescribed by the Governor in Council, payable as compensation for additional expenses, other than rent, incurred for the purpose of and incidental to the performance of duty outside Canada.

(2) An accompanied or unaccompanied officer or man shall be reimbursed for any charges levied against him in respect of quarters or rations provided from Canadian or other Government sources.

(3) Unless the Minister otherwise directs, an accompanied or unaccompanied officer or man shall be entitled to:

(*a*) if obliged to obtain private accommodation, Rent Allowance; and

(*b*) Supplementary Allowance at the rate and under the conditions prescribed in the table to this article.

(G)

TABLE TO ARTICLE 205.41

| Class of Personnel | Conditions | Percentage of Supplementar Allowance |
|---|---|---|
| | | % |
| Accompanied | Rations not provided for the officer or man and his dependents | 100 |
| Accompanied | Rations provided for the officer or man and his dependents | 50 |
| Accompanied | Rations provided for the officer or man only | 75 |
| Unaccompanied | Messing facilities not available | 67 |
| Unaccompanied | Messing facilities available | 33 |

(G)

## 205.42—SUPPLEMENTARY AND RENT ALLOWANCES—PERSONNEL DECEASED OR MISSING

When an officer or man who is in receipt of any allowance prescribed in article 205.41, dies or is officially reported missing, his pay account shall continue to be credited with the allowance to the end of the month in which his death occurs or he is officially reported missing.

(G)

**205.43—SUPPLEMENTARY AND RENT ALLOWANCES DURING PERIODS OF AUTHORIZED ABSENCE**

(1) An officer or man who is in receipt of any allowance prescribed in article 205.41 shall continue to be entitled to the allowance during any period of absence from his normal place of duty on leave with pay, on duty or in hospital.

(2) The allowances prescribed in article 205.41 shall not be commenced during any period of absence mentioned in (1) of this article.

(G)

**205.44—FOREIGN ALLOWANCE—RATES AND CONDITIONS**

(1) When allowances are not authorized in accordance with article 205.41, an officer or man appointed or drafted for duty to a country outside Canada shall be entitled to Foreign Allowance at the rate prescribed for his rank in the table to this article.

(2) An officer or man serving in a HMC ship or ships outside Canada for a continuous period of thirty days or more shall be entitled to Foreign Allowance for the entire period.

(G)

TABLE TO ARTICLE 205.44

| Rank | Monthly Rate |
|---|---|
| | $ |
| Rear-Admiral | 55.50 |
| Commodore | 49.50 |
| Captain | 37.50 |
| Commander | 27.00 |
| Lieutenant-Commander | 24.00 |
| Lieutenant and Commissioned Officer | 18.00 |
| Sub-Lieutenant | 16.50 |
| Acting Sub-Lieutenant and Midshipman | 13.50 |
| Chief Petty Officer 1/c | 16.50 |
| Chief Petty Officer 2/c and Petty Officer 1/c | 15.00 |
| Petty Officer 2/c | 12.00 |
| Leading Seaman and below | 9.00 |

(G)

**205.45—FOREIGN ALLOWANCE—PERSONNEL DECEASED OR MISSING**

When an officer or man who is in receipt of Foreign Allowance as prescribed in article 205.44, dies or is officially reported missing, his pay account shall continue to be credited with the allowance to the end of the month in which his death occurs or he is officially reported missing.

(G) (PC 1954—11/659 of 6 May 54) (6 May 54)

**(205.46 TO 205.49 INCLUSIVE: NOT ALLOCATED)**

***Section 5—Outfit, Clothing and Kit Allowance***

**205.50—OUTFIT ALLOWANCE—REGULAR FORCE OFFICERS**

(1) Subject to any limitations prescribed by the Chief of the Naval Staff, an officer of the Regular Force shall be paid an Outfit Allowance of $375.00:

(*a*) on becoming a member of the Regular Force in the rank of Midshipman or above;

(*b*) on his promotion from the rank of Naval Cadet; or

(*c*) on his promotion from the rank of Chief Petty Officer 1st Class or below to a rank above Naval Cadet.

(2) Outfit Allowance shall be payable in the manner prescribed by the Chief of the Naval Staff. (1 Dec 51)

(G) AL 16

## 205.505—UNDERCLOTHING ALLOWANCES—FEMALES

(1) Subject to any limitations prescribed by the Chief of the Naval Staff, this article shall apply to a female member of the Royal Canadian Navy except a female officer, of the:

(*a*) Regular Force; and

(*b*) Reserves on Continuous Naval Duty.

(2) A female described in (1) of this article shall be paid an initial Underclothing Allowance of $15.00:

(*a*) on enrolment in the Regular Force; or

(*b*) on commencement of Continuous Naval Duty.

(3) Underclothing Allowance shall be payable in the manner prescribed by the Chief of the Naval Staff.

(G) (1 May 51)

## 205.51—TROPICAL OUTFIT ALLOWANCE—OFFICERS

(1) Subject to any limitations prescribed by the Chief of the Naval Staff, an officer of the Regular Force other than a Naval Cadet shall, in order to equip himself with tropical kit, be paid Tropical Outfit Allowance of $50.00:

(*a*) when proceeding for service in an area where tropical kit is required;

(*b*) on one occasion only for his service on or after 1st October, 1946; and

(*c*) in accordance with any other conditions prescribed by the Chief of the Naval Staff.

(2) Tropical Outfit Allowance shall be payable in the manner prescribed by the Chief of the Naval Staff.

(G)

## 205.52—SUPPLY OF CIVILIAN CLOTHING ON RELEASE—MEN

(1) The Captain may authorize the purchase and supply of civilian clothing to a man of the Regular Force on release when, in his opinion, the man is not in possession of adequate articles of civilian clothing in which to proceed on shore and has no funds with which to purchase them.

(2) The value of any civilian clothing purchased under (1) of this article for supply to a man shall not exceed:

(*a*) $30.00 if he is released between 1st April and 30th September, inclusive, or

(*b*) $50.00 if he is released between 1st October and 31st March, inclusive.

(3) The value of any civilian clothing purchased under authority of this article shall be charged to the pay account of the man concerned.

(G)

## 205.525—CIVILIAN CLOTHING ALLOWANCE

(1) For the purposes of this article:

(*a*) "service in a theatre of operations" means service of a member of the Canadian Forces beyond Canada and the continental United States of America including Alaska, to participate in military operations undertaken by the United Nations to restore peace in the Republic of Korea, but shall not include any period

**205.525—CIVILIAN CLOTHING ALLOWANCE—(Cont'd)**

(i) of absence without leave or of desertion, or
(ii) of leave without pay and allowances, or
(iii) in respect of which a forfeiture has been imposed; and

(*b*) "Special Force" means the Royal Canadian Navy Special Force, the Canadian Army Special Force and the Royal Canadian Air Force Special Force as constituted from time to time by the Minister.

(2) Except as provided in (3) of this article, an officer or man shall be paid a Civilian Clothing Allowance of $100.00 when:

(*a*) his employment with the Regular Force is terminated, if he is a member of the Reserves and has performed not less than 183 days in a theatre of operations on the strength of the Special Force; or

(*b*) he has served in a theatre of operations on the strength of the Special Force and is released under Item 3 (on medical grounds, being disabled or incapable of performing his duties as a member of the forces) of the table to article 15.01 (Reasons for Release) as a result of service in a theatre of operations.

(3) A Civilian Clothing Allowance shall not be paid to an officer or man whose engagement or employment is terminated:

(*a*) as a result of a sentence that includes a punishment of imprisonment for two years or more; or

(*b*) for the purpose of immediate enrolment in the Regular Force of the Royal Canadian Navy or the Canadian Army (Regular) or the Regular Force of the Royal Canadian Air Force.

(4) The amount of any debit balance in the pay account of an officer or man shall not be recovered from his Civilian Clothing Allowance.

(G) (1 Jan 51)

**205.53—KIT UPKEEP ALLOWANCE—MEN**

(1) A man of the Regular Force and a man of the Reserves performing Continuous Naval Duty shall be paid Kit Upkeep Allowance at the rate prescribed in (2) of this article to enable him to replace the free kit issued on first enrolment.

(2) The monthly rate of Kit Upkeep Allowance shall be, in the case of:

(*a*) Chief Petty Officers 1/c, Chief Petty Officers 2/c and Petty Officers 1/c (Class 1 uniform), ~~$10.00~~ 8.00; and AL 21

(*b*) Petty Officers 2/c and below (Class II uniform), ~~$10.00~~. $7.00 AL21 (*1 Apr 53*)

(3) Subject to (4) of this article, credit of Kit Upkeep Allowance shall:

(*a*) commence on the first day of the month immediately following the month in which a man of the
(i) Regular Force is enrolled or re-enrolled, or
(ii) Reserves commences a period of Continuous Naval Duty;

(*b*) continue without interruption in the case of a man who transfers to the Regular Force from the Reserves if he was in receipt of the allowance on the day immediately preceding the date of transfer; and

(*c*) cease at the end of the month in which a man of the
(i) Regular Force or Reserves on Continuous Naval Duty is released, dies or is officially reported missing, or
(ii) Reserves completes a period of Continuous Naval Duty.

**205.53—KIT UPKEEP ALLOWANCE—MEN—(Cont'd)**

(4) The Allowance shall:

(*a*) be credited during a period of detention; and

(*b*) not be credited for any period

(i) of imprisonment in a civil prison, or (*20 Jan 55*)

(ii) of leave without pay, or

(iii) in hospital in excess of ninety days, if hospital clothing is provided.

(G)

**205.535—KIT UPKEEP ALLOWANCE—FEMALES**

(1) A female of the Regular Force, and of the Reserves performing Continuous Naval Duty, except a female officer, shall be paid Kit Upkeep Allowance at the rate prescribed in (2) of this article to enable her to replace the free kit issued on first enrolment.

(2) The monthly rate of Kit Upkeep Allowance for females shall be, in the case of a Chief Petty Officer 1st Class and below, ~~$10.00~~ 9.00 AL 21 (*1 Apr 53*)

(3) Subject to (4) of this article, entitlement of a female to Kit Upkeep Allowance shall:

(*a*) commence on the first day of the month immediately following

(i) enrolment in the Regular Force, or

(ii) commencement of Continuous Naval Duty; and

(*b*) cease at the end of the month in which

(i) she is released or transferred to the Reserves from the Regular Force, or

(ii) Continuous Naval Duty is terminated, or

(iii) she dies or is officially reported missing.

(4) The allowance shall not be payable in respect of any period in hospital in excess of ninety days, if hospital clothing is provided.

(G) (1 May 51)

**(205.54: RESERVED—ARMY AND AIR FORCE)**

**(205.55 TO 205.59 INCLUSIVE: NOT ALLOCATED)**

*Section 6—Naval Allowances*

**205.60—GRATUITY TO MIDSHIPMEN (E)**

(1) When appointed to the Royal Naval Engineering College, a Midshipman (E) of the Regular Force shall be paid a gratuity of $50.00 for the purchase of books and instruments.

(2) Payment shall be made subject to the condition that should the officer fail to serve for at least two years after becoming eligible for the gratuity, he shall, except as prescribed in (3) of this article, refund:

(*a*) if he has served six months or less of the two-year period, the full gratuity; or

(*b*) if he has served for more than six months of, but less than, the two-year period, one-fourth of the gratuity for

(i) each uncompleted period of six months, and

(ii) any additional uncompleted period of less than six months.

**205.60—GRATUITY TO MIDSHIPMEN (E)—(Cont'd)**

(3) In special circumstances or if the failure to complete the two-year period designated in (2) of this article is a result of ill health or invaliding not attributable to the officer's misconduct or neglect, the Minister may waive all or any part of the refund.

(G)

**205.61—GROG ALLOWANCE**

(1) A man who is 20 years of age or over and who has not elected to receive the spirit ration or is not in receipt of Subsistence Allowance, shall, while serving in a ship or naval establishment where the issue of spirit ration is permitted, be paid Grog Allowance at the rate of $1.80 per month, under the conditions prescribed in this article.

(2) Entitlement to Grog Allowance shall:

(*a*) commence on the first day of the month following the date on which a man
(i) joins the ship or naval establishment, or
(ii) attains the age of 20 years; and

(*b*) cease at the end of the month in which a man leaves the ship or naval establishment.

(3) A man may elect on the first day of the month to receive:

(*a*) Grog Allowance in lieu of the spirit ration, in which case the allowance shall commence on the first day of that month; or

(*b*) the spirit ration in lieu of Grog Allowance, in which case the allowance shall cease on the last day of the previous month.

(G)

**(205.62 TO 205.69 INCLUSIVE: NOT ALLOCATED)**

***Section 7—Payments to Dependents of Personnel Deceased or Missing***

**205.70—PAYMENT OF CREDIT BALANCES TO DEPENDENTS**

(1) Subject to (2) of this article, when an officer or man who is in receipt of Marriage Allowance, or who would be if he were of the required age, is reported dead or missing, and pay and allowances have been credited to his pay account in accordance with articles:

(*a*) 204.03 (Pay—Personnel Deceased or Missing);
(*b*) 205.08 (Subsistence, Quarters, and Ration Allowances—Personnel Deceased or Missing);
(*c*) 205.22 (Marriage Allowance—Cessation);
(*d*) 205.27 (Separated Family's Allowance—Personnel Deceased or Missing);
(*e*) 205.29 (Maintenance Allowance—Personnel Deceased or Missing);
(*f*) 205.31 (Risk Allowance—Personnel Deceased or Missing);
(*g*) 205.33 (Responsibility Allowance—Officers Deceased or Missing);
(*h*) 205.405 (Northern Allowance—Personnel Deceased or Missing);
(*i*) 205.42 (Supplementary and Rent Allowances—Personnel Deceased or Missing);
(*j*) 205.45 (Foreign Allowance—Personnel Deceased or Missing);
(*k*) ~~204.41 (Aircrew Pay—Personnel Deceased or Missing)~~; (*1 Jul 56*)
205.36 (Aircrew Allowance - Personnel Deceased or Missing) "AL 34" AL 29

## 205.70—PAYMENT OF CREDIT BALANCES TO DEPENDENTS—(Cont'd)

as applicable, the Supply Officer may, on the authority of the Captain, pay to the wife or the person or persons undertaking the care of the dependent child or children the amount of pay and allowances credited beyond the date of the casualty. *(1 Dec 55)*

(2) The amount of any payment made under (1) of this article shall not exceed the amount of the credit balance in the pay account.

(3) Any amount paid under (1) of this article shall be charged to the pay account of the officer or man concerned.

(G)

## 205.71—INTERIM ALLOWANCE FOR DEPENDENTS—REGULAR FORCE AND RESERVES ON CONTINUOUS NAVAL DUTY

(1) Except as provided in (4) (*b*) (i), this article shall not apply to an officer or man who is reported dead or presumed dead and who, at date of death, was a participant in the Supplementary Death Benefit Plan under Part II of the *Public Service Superannuation Act.*

(2) When an officer or man who is in receipt of Marriage Allowance, or who would be eligible for the payment of that allowance if he were of the required age, is reported dead or missing, the Minister may approve the payment of Interim Allowance, calculated in accordance with (3) of this article, to:

(*a*) his wife; or

(*b*) if Marriage Allowance is paid in respect of a dependent child or children, or would have been payable, the person or persons undertaking the care of the dependent child or children.

(3) The monthly rate of Interim Allowance shall be an amount, at the rates prescribed for the rank of the officer or man, equal to the total of:

(a) when occupying either permanent or temporary married quarters,

(i) fifteen days' pay,

(ii) Marriage Allowance at the applicable rate, and

(iii) Separated Family's Allowance at the rate prescribed in column "B" or "D" of the table to article 205.26, as applicable; or

(*b*) when not occupying either permanent or temporary married quarters,

(i) fifteen days' pay,

(ii) Marriage Allowance at the applicable rate, and

(iii) Separated Family's Allowance at the rate prescribed in column "A" or "C" of the table to article 205.26, as applicable.

(4) Interim Allowance shall commence on the first day of the month immediately following that in which the officer or man dies or is officially reported missing and, subject to (5) of this article, shall be continued in the case of an officer or man:

(*a*) who dies, to the end of the second month following that in which his death occurred; or

**205.71—INTERIM ALLOWANCE FOR DEPENDENTS—REGULAR FORCE AND RESERVES ON CONTINUOUS NAVAL DUTY—(Cont'd)**

(*b*) who is officially reported missing,

(i) if a participant in the Supplementary Death Benefit Plan under Part II of the *Public Service Superannuation Act*, to the end of the month in which a declaration of his death or presumed death is made, or

(ii) if not a participant in the Supplementary Death Benefit Plan under Part II of the *Public Service Superannuation Act*, to the end of the second month following that in which a declaration of his death or presumed death is made;

but not exceeding a period of twelve months.

(5) When an officer or man who has been reported dead or missing is later found to be alive:

(*a*) Interim Allowance, if in payment, shall cease; and

(*b*) the amount of Interim Allowance already paid shall be recovered from his pay account.

(*See article 205.72 for additional payments to dependents of officers and men in receipt of Supplementary and Rent Allowances.*)

(G) (PC 1955—8/1896 of 29 Dec 55) (1 Dec 55)

**205.72—SUPPLEMENTARY AND RENT ALLOWANCES—DEPENDENTS OUTSIDE CANADA**

(1) When an "accompanied officer or man" as defined in article 205.41 is reported dead or missing, the Minister may approve the payment of a monthly allowance, calculated in accordance with (2) of this article, to: (*1 Dec 55*)

(*a*) the wife; or

(*b*) if Marriage Allowance is paid in respect of a dependent child or children, the person or persons undertaking the care of the dependent child or children.

(2) The allowance shall be an amount equal to one-half the Supplementary and Rent Allowances to which the officer or man was entitled on the date he died or was officially reported missing.

(3) The allowance shall commence on the first day of the month immediately following that in which the officer or man dies or is officially reported missing and, subject to (4) of this article, shall be continued in the case of an officer or man:

(*a*) who dies, to and including the date of departure of the dependents from the country outside Canada, but not exceeding thirty days from the date of death; or

(*b*) who is officially reported missing, to and including the date of departure of the dependents from the country outside Canada, or for one month following the date on which a declaration of his death or presumed death is made, whichever is the earlier, but not exceeding a period of six months.

(4) When an officer or man who has been reported dead or officially reported missing is later found to be alive:

(*a*) the allowance prescribed in this article, if in payment, shall cease; and

(*b*) the amount of the allowance already paid shall be recovered from his pay account.

(G)

## 205.73—INTERIM ALLOWANCE FOR DEPENDENTS—RESERVES NOT ON CONTINUOUS NAVAL DUTY

(1) Except as provided in (4) (*b*) (i), this article shall not apply to an officer or man who is reported dead or presumed dead and who, at date of death, was a participant in the Supplementary Death Benefit Plan under Part II of the *Public Service Superannuation Act.*

(2) When an officer or man of the Reserves who is married and not estranged and living apart from his wife or his dependent child, as defined in article 205.20 (Marriage Allowance —General Conditions), is reported dead or missing while on Naval Training, Special Duty, or Divisional Drills, the Minister may approve the payment of Interim Allowance, calculated in accordance with (3) of this article, to:

(*a*) the wife; or

(*b*) the person or persons undertaking the care of the dependent child.

(3) The monthly rate of Interim Allowance shall be an amount, at the rates prescribed for the rank of the officer or man, equal to the total of:

(*a*) when occupying either permanent or temporary married quarters

(i) fifteen days' pay,

(ii) Marriage Allowance at the rate applicable to an officer or man of the Regular Force of equivalent status, and

(iii) Separated Family's Allowance at the rate prescribed in column "B" or "D" of the table to article 205.26, as applicable; or

(*b*) when not occupying either permanent or temporary married quarters

(i) fifteen days' pay,

(ii) Marriage Allowance at the rate applicable to an officer or man of the Regular Force of equivalent status, and

(iii) Separated Family's Allowance at the rate prescribed in column "A" or "C" of the table to article 205.26, as applicable.

(4) Interim Allowance shall commence on the day immediately following that on which the officer or man dies or is officially reported missing and, subject to (5) of this article, shall be continued in the case of an officer or man:

(*a*) who dies, for a period not exceeding two months; or

(*b*) who is officially reported missing

(i) if a participant in the Supplementary Death Benefit Plan under Part II of the *Public Service Superannuation Act,* to the end of the month in which a declaration of his death or presumed death is made, or

(ii) if not a participant in the Supplementary Death Benefit Plan under Part II of the *Public Service Superannuation Act,* to the end of the second month following that in which a declaration of his death or presumed death is made;

but not exceeding a period of six months.

(5) When an officer or man who has been reported dead or missing is later found to be alive:

(*a*) his pay account shall be reopened and credited with pay and allowances for the period he was missing;

(*b*) Interim Allowance, if in payment, shall cease; and

(*c*) the amount of Interim Allowance already paid shall be recovered from his pay account.

(G) (PC 1955—8/1896 of 29 Dec 55) (1 Dec 55)

**(205.74 TO 205.99 INCLUSIVE: NOT ALLOCATED)**

CHAPTER 206

# PENSION DEDUCTIONS, CONTRIBUTIONS AND DEFERRED PAY

*(Refer carefully to article 1.02 (Definitions) when reading every regulation in this chapter.)*

## *Section 1—Pension Deductions and Contributions*

### 206.01—PENSION DEDUCTIONS—PARTS I-IV OF THE DEFENCE SERVICES PENSION ACT

Pension deductions required from an officer of the Regular Force who is subject to the provisions of Parts I-IV of *The Defence Services Pension Act* (*see Appendix XXI to this volume*) shall be made from his pay and allowances at the rate of five per cent of:

(*a*) pay of rank;

(*b*) specialist pay, when in receipt of this pay;

(*c*) Marriage Allowance, when in receipt of this allowance; and

(*d*) Subsistence Allowance, whether in receipt of this allowance or not.

(G)

### 206.02—PENSION CONTRIBUTIONS—PART V OF THE DEFENCE SERVICES PENSION ACT

Pension contributions required from an officer or man of the Regular Force who is subject to the provisions of Part V of *The Defence Services Pension Act* shall be deducted from his pay and allowances at the rate and under the conditions prescribed in Part V of *The Defence Services Pension Act* and in any regulations issued pursuant thereto. (*See Appendix XXI to this volume.*)

(G)

**(206.03 TO 206.19 INCLUSIVE: NOT ALLOCATED)**

## *Section 2—Deferred Pay—Gratuities—Officers Serving for Fixed Periods*

### 206.20—DEFERRED PAY DEDUCTIONS

(1) Except as provided in (2) of this article, an officer serving in the Regular Force for a fixed period shall be subject to monthly deductions from his pay and allowances, to be withheld as deferred pay, equal to the monthly contributions which would be required if he were a contributor under Part V of *The Defence Services Pension Act.*

## 206.20—DEFERRED PAY DEDUCTIONS—(Cont'd)

(2) The monthly deductions prescribed in (1) of this article shall not be effected:

(*a*) when the officer is a contributor under any part of *The Defence Services Pension Act;* or

(*b*) for any period of absence without pay.

(G) (1 Jun 53)

## 206.21—REFUND OF DEFERRED PAY

(1) Deferred pay withheld in accordance with article 206.20 shall be refunded without interest to an officer upon his release or transfer to the Reserves.

(2) When an officer dies before completion of his fixed period of service, the amount of deferred pay withheld in accordance with article 206.20 shall be paid without interest:

(*a*) to his widow; or

(*b*) if there is no widow, to his dependent child or children under the age of eighteen years; or

(*c*) if there is no widow or dependent child or children, to his service estate.

(3) When an officer becomes a contributor under Part V of *The Defence Services Pension Act:*

(*a*) during a fixed period of service in the Regular Force; or

(*b*) upon termination of a fixed period of service in the Regular Force;

the total amount of deferred pay withheld in accordance with article 206.20 shall be transferred to his credit in the Permanent Services Pension Account.

(G) (1 Jun 53)

## 206.22—PAYMENT OF GRATUITY ON TERMINATION OF SERVICE

(1) Subject to (3), (4) and (6) of this article, a gratuity calculated in accordance with article 206.24 shall be paid to an officer who has served in the regular forces for a fixed period when:

(*a*) he is released or transferred to the Reserves on completion of his fixed period of service; or

(*b*) he is released on medical grounds, having become physically or mentally unfit to perform his duties as a member of the Regular Force; or

(*c*) prior to completion of his fixed period of service, his service is terminated otherwise than by reason of misconduct or inefficiency for the purpose of promoting economy or efficiency in the service; or

(*d*) during the last year of his fixed period of service, he is released or transferred to the Reserves for the purpose of rehabilitation.

(2) For the purpose of this article:

(*a*) when an officer appointed to or enrolled in the Regular Force for a fixed period is transferred from one Service to another for a fixed period, he shall be deemed to have served continuously in the Service from which his service is terminated on release or transfer to the Reserves;

**206.22—PAYMENT OF GRATUITY ON TERMINATION OF SERVICE —(Cont'd)**

(*b*) when, at the time of his transfer, the officer has not completed the fixed period for which he was appointed or enrolled, such fixed period shall be deemed to have been completed when

(i) he has served a period equal to that for which he was originally appointed or enrolled, or

(ii) he has served in the Service to which he has been transferred the fixed period for which he has undertaken to serve in that Service,

whichever is the earlier date.

(3) An officer who completes a fixed period of service and is granted a further fixed period or an extension of his original period shall be paid, upon final release or termination of service, a gratuity calculated in accordance with article 206.24 for:

(*a*) the total fixed period of service, if he completes the further period; or

(*b*) the original fixed period of service only if he does not complete the further period and if he is not entitled to a gratuity under (1)(*b*), (*c*) or (*d*) of this article.

(4) A female officer who is released prior to completion of an original fixed period of service by reason of her marriage or intended marriage shall not be paid a gratuity under this article.

(5) When an officer dies while serving for a fixed period of service, a gratuity calculated in accordance with article 206.24, but reduced by the amount of any payment made under article 206.21, shall be paid to his widow, or if there is no widow, to his dependent child or children under the age of eighteen years.

(6) A gratuity payable under (1)(*b*) or (1)(*c*) of this article shall be reduced:

(*a*) for an officer from whom deferred pay is withheld in accordance with article 206.20, by the amount payable in accordance with article 206.21; or

(*b*) for an officer who is a contributor under the *Defence Services Pension Act*, by an amount equal to the total current contributions required under the *Defence Services Pension Act* for the fixed period of service.

(G) (PC 1955--7/1585 of 26 Oct 55) (26 Oct 55)

**206.23—ABATEMENT OF GRATUITY**

A gratuity payable under article 206.22 shall be abated by the difference between:

(*a*) any gratuity, or the capitalized value of any pension, payable under *The Defence Services Pension Act;* and

(*b*) the contributions, without interest, made under *The Defence Services Pension Act;*

for the same period of service.

(G) (1 Jun 53)

## 206.24—CALCULATION OF GRATUITY

(1) For the purpose of this article, "pay and allowances" includes:

(*a*) pay;

(*b*) allowances as prescribed in Regulation 3 of Regulations—*The Defence Services Pension Act*—Part V; (*see Appendix XXI*)

(*c*) for an officer who has been in receipt of the allowance at any time during the period for which a gratuity is being calculated, Risk Allowance as prescribed in article 205.30;

(*d*) for a medical officer who qualifies under article 205.32, Responsibility Allowance;

at the rates prescribed for the rank the officer held at the time of his transfer, release, or death.

(2) Subject to (4) of this article, the gratuity payable under article 206.22 shall consist of:

(*a*) one month's pay and allowances for each completed year of the fixed period of service; and

(*b*) one twelfth of one month's pay and allowances for each completed month in excess of completed years; and

(*c*) one twelfth of one month's pay and allowances for any period of fifteen days or more in excess of completed months, but a period of less than fifteen days shall not be counted.

(3) Periods of leave without pay shall not be counted in the calculation of a gratuity under this article.

(4) When an officer relinquishes his paid acting rank on termination of service, the gratuity shall be calculated on that acting rank.

(G) (1 Jun 53)

**(206.25 TO 206.99 INCLUSIVE: NOT ALLOCATED)**

CHAPTER 207

# ASSIGNMENTS AND REMITTANCES

*(Refer carefully to article 1.02 (Definitions) when reading every regulation in this chapter.)*

## *Section 1—Assignments*

### 207.01—ASSIGNMENTS—GENERAL CONDITIONS

(1) An officer or man may declare assignments of pay and allowances providing for equal monthly payments for the purposes and to the payees prescribed by the Chief of the Naval Staff.

(2) Compulsory assignments and supporting assignments shall take precedence over voluntary assignments.

(3) The total of all assignments of an officer or man shall not exceed:

(*a*) the monthly rate of pay prescribed for his rank, less all recurring deductions; and

(*b*) if in receipt of Marriage Allowance

(i) the monthly rate of Marriage Allowance in issue to him, and

(ii) when in receipt of Subsistence Allowance or Separated Family's Allowance, an amount equal to the rate of Separated Family's Allowance prescribed for his rank and status in the table to article 205.26 (Separated Family's Allowance—Rates).

(4) In making provision for assignments of pay and allowances, the Crown acts as the agent of officers and men without consideration, and does not accept responsibility for any errors of omission or commission in making payment on their behalf or by failure to make the correct charges against their pay and allowances.

(G) (PC 3/6960 of 29 Dec 51) (NS 2367-1) (1 Jan 52)

### 207.015—NUMBER OF ASSIGNMENTS PERMITTED

An officer or man shall not normally be permitted to have more than four assignments in force at the same time.

(C)

### 207.02—COMPULSORY ASSIGNMENTS FOR MAINTENANCE

(1) This article shall apply to an officer or man of the:

(*a*) Regular Force; and

(*b*) Reserves when performing Continuous Naval Duty.

## 207.02—COMPULSORY ASSIGNMENTS FOR MAINTENANCE (Cont'd)

(2) When there is in effect an order or decree enforceable under the laws of Canada or any Province thereof requiring payments to be made by an officer or man in respect of the support, care or maintenance of his wife or former wife or any legitimate or illegitimate child, the Captain may order a monthly compulsory assignment of pay and allowances as prescribed in (3) of this article.

(3) The compulsory assignment shall consist of such portion of the pay and allowances of the officer or man, not exceeding the amount of the order or decree, as the Captain from time to time thinks fit, but no such compulsory assignment shall, in any month, exceed an amount equal to:

(*a*) fifteen days' pay of the officer or man; and

(*b*) the maximum amount of Maintenance Allowance prescribed for his rank in article 205.28.

*(1 Jan 52)*

(4) The compulsory assignment under this article shall:

(*a*) be paid to the person or institution specified in the order or decree; and

(*b*) be applied toward liquidation of the sum awarded under the order or decree.

(5) The Captain shall submit his reasons and a copy of the order or decree to Naval Headquarters when he:

(*a*) orders a compulsory assignment for, or reduces an existing compulsory assignment to, an amount which is not sufficient to meet the order or decree and which is less than the maximum prescribed in (3) of this article;

(*b*) does not order a compulsory assignment; or

(*c*) cancels a compulsory assignment, except when the assignment is stopped under (8) of this article.

(6) On receipt of a report in accordance with (5) of this article, the Chief of the Naval Staff shall review the case and inform the Captain of his decision.

(7) When the pay account of an officer or man, against whom a compulsory assignment is in force, is placed in debt to an extent which cannot be liquidated within a reasonable period, the Captain shall:

(*a*) review the financial position of the officer or man;

(*b*) reduce the compulsory assignment accordingly; and

(*c*) forward the report prescribed in (5) of this article.

(8) A compulsory assignment shall be stopped for any period in excess of seven days during which the pay and allowances of the officer or man are stopped for any reason.

## 207.02—COMPULSORY ASSIGNMENTS FOR MAINTENANCE—(Cont'd)

(9) When there is no order or decree in effect but it has been represented to the Chief of the Naval Staff that an officer or man has deserted or is otherwise without reasonable cause failing to maintain his wife or any legitimate or illegitimate child under the age of sixteen, the Chief of the Naval Staff may order deductions to be made from the pay of the officer or man in the manner and subject to the limits prescribed in (2) and (3) of this article.

(G)

## 207.03—SUPPORTING ASSIGNMENTS

(1) When an officer or man applies for Marriage Allowance under article 205.20 (Marriage Allowance—General Conditions), he shall assign to his wife, or to the person undertaking the care of his dependent child if Marriage Allowance is payable in respect of that child, a monthly amount not less than:

(*a*) in the case of an officer..... $80.00; or

(*b*) in the case of a man..... $60.00.

(2) In exceptional circumstances, the Chief of the Naval Staff may direct that the supporting assignment prescribed in (1) of this article be reduced or waived.

(3) The Minister may, in circumstances where he deems it desirable, direct that the minimum amounts of supporting assignments be increased.

(4) Subject to (2) of this article, the supporting assignment shall:

(*a*) be effective the first day of the month immediately following that in which the application for Marriage Allowance is approved; and

(*b*) subject to (6) of this article, be continued

(i) to the end of the day on which entitlement to Marriage Allowance ceases, or

(ii) when voluntarily reduced below the minimum prescribed in (1) of this article or voluntarily stopped, to the end of the month in which the reduction or stoppage is effected.

(5) When a man is promoted to officer rank, the amount of the supporting assignment required under (1) of this article shall be increased effective the first day of the month following that in which his promotion is promulgated in the ship or establishment.

(6) (a) When an officer or man ceases to be entitled to Marriage Allowance at the end of the twenty-first day of absence without authority, the supporting assignment shall be stopped at the end of the twenty-first day of that absence.

(*b*) When Marriage Allowance is payable during a period of forfeiture, the supporting assignment shall be paid in respect of the same period.

(G) (1 Jan 52)

## 207.04—CHANGE OR STOPPAGE OF ASSIGNMENTS

(1) An officer or man shall not be permitted to stop or change the amount of a supporting or voluntary assignment more frequently than once in six months, except:

(*a*) on change of normal place of duty; or

(*b*) upon any change in status affecting his pay and allowances; or

(*c*) when proceeding to sea on lengthy cruises; or

(*d*) in exceptional circumstances, with the approval of the Captain.

(2) When, in the opinion of the Supply Officer, continuation of payment of the total amount of the assignments of an officer or man would create a debit balance in his pay account which might not be liquidated within a period of three months, the Supply Officer shall, in respect of that officer or man:

(*a*) stop or reduce any or all his voluntary assignments; and

(*b*) reduce his supporting assignment to an amount not below the minimum prescribed for his rank in article 207.03.

(G) (1 Jan 52)

## 207.045—STOPPAGE OF ASSIGNMENTS—PROCEDURE

(1) An assignment stoppage shall not become effective unless the Stop Notice reaches Naval Headquarters prior to the first day of the month following that in which the final payment will be made. (*2 May 53*)

(2) In exceptional cases, the Supply Officer may stop assignments by dispatch, with the last payment being made to the end of the previous month, if the dispatch is received at Naval Headquarters prior to the 15th day of the month.

(3) When an assignment in support of Marriage Allowance is stopped, a report of the circumstances shall be forwarded to Naval Headquarters as prescribed in article 205.22 (Marriage Allowance—Cessation).

(C)

**(207.05 TO 207.20 INCLUSIVE: NOT ALLOCATED)**

### *Section 2—Remittances*

## 207.205—REMITTANCES—GENERAL

(1) For the purpose of this section, a remittance shall mean a sum of money deposited with the Supply Officer for transmission to a person or persons designated by the officer or man depositing it.

**207.205—REMITTANCES—GENERAL—(Cont'd)**

(2) On receipt of remittance lists from supply officers, cheques are issued from Naval Headquarters to persons designated by the remitter.

(3) The accounting procedure for remittances is prescribed in the Supply and Accounting Manual.

(C)

**(207.21: NOT ALLOCATED)**

**207.215—REMITTANCES—AMOUNT AND NUMBER**

(1) An officer or man may normally make remittances for any amount not exceeding the pay and allowances earned by him, less all recurring deductions. In cases where the Supply Officer is satisfied that special considerations exist, and there are no regulations or orders to the contrary in force, he may authorize remittances in excess of the pay and allowances earned by the officer or man.

(2) The number of remittances made by an officer or man shall not ordinarily exceed three per month.

(C)

**(207.22 TO 207.99 INCLUSIVE: NOT ALLOCATED)**

CHAPTER 208

# FINES, FORFEITURES AND DEDUCTIONS

*(Refer carefully to article 1.02 (Definitions) when reading every regulation in this chapter.)*

## *Section 1—General*

### 208.01—DEFINITIONS

For the purpose of this Chapter:

(*a*) "forfeiture" means the deprivation of the pay and allowances of an officer or man for any specific day or days, except

(i) Marriage Allowance and Separated Family's Allowance, and

(ii) in the case of a man undergoing detention or imprisonment in a service prison, Kit Upkeep Allowance; and *(20 Jan 55)*

(*b*) "deduction" means an amount chargeable against the pay and allowances of an officer or man imposed under

(i) article 208.40 (Deductions for Transportation of Recovered Absentees or Deserters), or

(ii) article 27.765 (Administrative Deductions—Overdue Mess Bills), or

(iii) article 38.03 (Administrative Deductions ~~for Reimbursement of Financial Loss),~~ or

(iv) article 38.05 (Administrative Deductions for Barrack Damages), or

(v) article 208.43 (Deductions of Pay and Allowances—Suspension from Duty).

(G) (PC 1954–18/893 of 17 Jun 54) (17 Jun 54)

### 208.02—APPLICATION OF REGULATIONS

The pay and allowances of an officer or man shall be subject to:

(*a*) the forfeitures and deductions prescribed in this chapter; and

(*b*) any fine imposed upon him by a service tribunal.

(G)

### (208.03: NOT ALLOCATED)

### 208.04—ADVANCES OF PAY AND ALLOWANCES WHEN FORFEITURE OR DEDUCTION IMPOSED

(1) Within the limitations prescribed in this article, and notwithstanding that his pay account may be placed in debt thereby, an officer or man may be paid during any period that:

## 208.04—ADVANCES OF PAY AND ALLOWANCES WHEN FORFEITURE OR DEDUCTION IMPOSED—(Cont'd)

(*a*) he is subject to a forfeiture, except in respect of a period of absence without leave or of desertion; or (*1 Jan 52*)

(*b*) he is in civil custody awaiting trial; or

(*c*) as a result of an alleged offence, he is in hospital awaiting trial by a service tribunal or a civil court for that offence; or

(*d*) a deduction imposed on his pay and allowances is being recovered at a rate which would restrict the issue of pay and allowances to a rate less than the appropriate rate prescribed in (2) of this article.

(2) During any period prescribed in (1) of this article:

(*a*) in the case of an officer, advances shall, with the approval of the Captain, be paid

(i) to the officer, at a rate not exceeding $10.00 per month for personal requirements, and

(ii) to the mess of the officer, on his behalf, in the amount of any mess account incurred by him during that period but not exceeding $15.00 per month; or

(*b*) in the case of a man, advances shall be paid to the man at the rate of twenty-five cents per day for personal requirements.

(3) Any payment made under (2) of this article shall be charged to the pay account of the officer or man concerned and shall not be regarded as a remission of any portion of the forfeiture or deduction.

(G)

## 208.05—SUBSISTENCE, QUARTERS AND RATION ALLOWANCES WHEN FORFEITURE OR DEDUCTION IMPOSED

During any period prescribed in article 208.04(1) or 208.07, an officer or man shall, if applicable, be entitled to and paid Subsistence, Quarters or Ration Allowance at the rate prescribed for his rank in article 205.01.

(G)

## 208.06—RESTRICTION OF PAYMENTS OF PAY AND ALLOWANCES WHEN AWAITING TRIAL BY SERVICE TRIBUNAL

During any period that an officer or man is in close custody awaiting trial by a service tribunal and is not suspended from duty under the provisions of article 19.75, entitlement to pay and allowances shall continue, but payment thereof to him, or on his behalf, may be restricted to the extent prescribed in orders issued by the Chief of the Naval Staff.

(G) (PC 1954–18/893 of 17 Jun 54) (17 Jun 54)

## 208.07—RESTRICTION OF PAYMENTS OF PAY AND ALLOWANCES WHEN SUSPENDED FROM DUTY

(1) During any period that an officer or man is suspended from duty under the provisions of article 19.75 (Suspension from Duty), entitlement to pay and allowances shall continue but payment thereof to him, or on his behalf, shall be restricted to:

(*a*) amounts equal to those prescribed in article 208.04(2);

(*b*) if he is in receipt of Marriage Allowance, the amount by which Marriage Allowance and Separated Family's Allowance for his rank and status exceed the supporting assignment in effect, provided payment is made to his wife or on behalf of his dependents, as applicable; and

(*c*) if in issue, Northern Allowance, Supplementary and Rent Allowances.

(2) When the issue of pay and allowances to an officer or man is restricted in accordance with (1) of this article, the supporting assignment in effect in accordance with article 207.03 shall continue but shall not exceed the sum of the rates prescribed for his rank and status in the table to article 205.21 (Marriage Allowance—Rates) and 205.26 (Separated Family's Allowance—Rates).

(*See article 208.43—"Deductions of Pay and Allowances—Suspension from Duty".*)

(G) (PC 1954–18/893 of 17 Jun 54) (17 Jun 54)

**(208.08: NOT ALLOCATED)**

## 208.09—DEBIT AND CREDIT BALANCES—RECOVERED ABSENTEES

When an officer or man who has been absent without authority for a continuous period of more than seven days is recovered:

(*a*) any debit balance incurred on or prior to such absence shall be charged against his pay account; and

(*b*) any credit balance remaining after the settlement of any claims due to the public may, on the authority of the Chief of the Naval Staff, be paid to him.

(G)

## 208.10—PAYMENT OF COST OF MAINTENANCE—PERSONNEL COMMITTED TO CIVIL GAOLS

(1) When an officer or man is sentenced to imprisonment for an offence under *The National Defence Act* and is committed to a civil gaol, the Minister may authorize the payment of accounts for the maintenance of that officer or man while in civil gaol at such rates as he may deem reasonable.

(2) Payments under (1) of this article shall be in addition to the payment of the proper fees of sheriffs and other peace officers in respect of personnel so sentenced.

(G)

**(208.11 TO 208.19 INCLUSIVE: NOT ALLOCATED)**

*Section 2—Fines*

## 208.20—FINES IMPOSED BY SERVICE TRIBUNAL

A fine imposed upon an officer or man by a service tribunal shall:

(*a*) be charged to his pay account; and

(*b*) be recovered from his pay and allowances at the rate determined by the Captain.

(G)

## 208.21—FINES IMPOSED BY CIVIL COURT

When a fine and any costs are imposed upon an officer or man by a civil court and payment thereof from public funds is authorized by the Captain under article 19.58 (Payment of Fines and Costs), the amount of the payment shall be:

(*a*) regarded as an advance of pay and allowances; and

(*b*) charged to the pay account of the officer or man concerned.

(G)

## (208.22 TO 208.29 INCLUSIVE: NOT ALLOCATED)

*Section 3—Forfeitures*

## 208.30—FORFEITURES—OFFICERS AND MEN

(1) Except as prescribed in (2) of this article, one day's forfeiture shall be imposed on an officer or man for each day he is:

(*a*) absent without leave, when he has been found guilty of that offence; or

(*b*) absent as a deserter when he has been found guilty of desertion; or

(*c*) undergoing a sentence of imprisonment or detention, awarded by

(i) a service tribunal, or

(ii) a civil court, wherever situated; or

(d) in civil custody awaiting trial for an offence of which he is afterwards convicted by a civil court; or

(*e*) in hospital awaiting trial for an offence of which he is afterwards convicted by a service tribunal or a civil court if

(i) in the opinion of the Medical Officer attending him, the period of hospitalization was a direct result of that offence, and

(ii) the Senior Officer in Chief Command concurs in the opinion of the Medical Officer.

(2) An officer or man shall not be subject to a forfeiture for any period he is in civil custody while on leave with pay and allowances.

(G) (1 Jan 52)

## 208.31—FORFEITURES—WHEN NO SERVICE RENDERED

(1) When no naval service is rendered by an officer or man during any period and no forfeiture has been imposed in respect of that period, the Senior Officer in Chief Command may direct that a forfeiture be imposed for the whole or any part of that period.

(2) When no naval service has been rendered by a former officer or man during any period prior to his release, and no forfeiture has been imposed in respect of that period, the Senior Officer in Chief Command may direct that all or any part of his pay and allowances in respect of that period shall not be credited, or if credited, may direct that the applicable entries in his pay account be cancelled.

(G)

## 208.32—CALCULATION OF PERIODS OF FORFEITURE

For the purpose of computing a period of forfeiture under article 208.30, an officer or man shall be regarded as absent, in custody or in hospital for one day:

(*a*) when the period involved exceeds twenty-four consecutive hours,

(i) for each complete period of twenty-four hours, or

(ii) for any period remaining after the calculation of the complete twenty-four hour periods under (i) of this subparagraph; or

(*b*) when the period involved does not exceed twenty-four consecutive hours, but is in excess of four consecutive hours.

(G) (1 Jan 52)

## 208.33—CONCURRENT FORFEITURES

When an officer or man is, for any specific day or days, subject to forfeiture, any subsequent forfeiture imposed shall, to the extent that it purports to affect his pay and allowances for the same day or days, run concurrently with the forfeiture already in effect.

(G) (1 Jan 52)

## 208.34—ALTERATION OR SUSPENSION OF PUNISHMENT—EFFECT ON FORFEITURE

(1) When any punishment included in a sentence passed upon an officer or man results in the imposition of a forfeiture, and the punishment is subsequently altered or suspended, the only forfeiture that shall be imposed is the forfeiture resulting from the altered or suspended punishment.

(2) If any forfeiture has been imposed on an officer or man as the result of a sentence passed upon him in excess of the forfeiture resulting from the altered or suspended punishment, the amount of the excess forfeiture shall be restored to the officer or man.

(G) (1 Jan 52)

(208.35: NOT ALLOCATED)

## 208.36—RESTORATION OF PAY AND ALLOWANCES BY THE MINISTER

Notwithstanding anything contained in this Section, the Minister may, in special circumstances, order the restoration of pay and allowances to an officer or man in respect of any period or any part thereof during which the officer or man was:

(*a*) in custody awaiting trial by a civil court for an offence of which he was afterwards convicted; and

(*b*) in custody under sentence imposed by a civil court.

(G)

(208.37 TO 208.39 INCLUSIVE: NOT ALLOCATED)

### *Section 4—Deductions*

## 208.40—DEDUCTIONS FOR TRANSPORTATION OF RECOVERED ABSENTEES OR DESERTERS

(1) Except as prescribed in (2) of this article, when an officer or man has been found guilty of absence without leave or desertion, the actual cost of his transportation and accommodation for the journey from the place of his apprehension or surrender to the ship or naval establishment in which his trial is held shall be deducted from his pay and allowances.

(2) (*a*) The Chief of the Naval Staff may, on the recommendation of the Senior Officer in Chief Command, remit all or any portion of the cost of transportation and accommodation deducted from the pay account of an absentee or deserter.

(*b*) The Senior Officer in Chief Command should not, unless special circumstances exist, recommend remission of the deduction when it can be liquidated within three months.

(G)

## 208.41—LIQUIDATION OF DEDUCTIONS

Any deduction imposed upon the pay and allowances of an officer or man shall be:

(*a*) charged to his pay account;

(*b*) except as prescribed in (c) of this article, recovered from his pay and allowances until the deduction is wholly liquidated; and

(*c*) if the deduction has been imposed under article 38.03 (Administrative Deductions ~~for Reimbursement of Financial Loss~~), recovered from his pay and allowances at the rate determined by the Captain.

(G)

## 208.42—AUTHORITY OF MINISTER IN RESPECT OF DEDUCTIONS

Notwithstanding anything contained in these Regulations, any deduction authorized in this chapter to be made from the pay and allowances of an officer or man:

(*a*) may be remitted to such extent as may be determined by the Minister; and

(*b*) may, when deducted or recovered, be appropriated in such manner as the Minister may direct.

(G)

## 208.43—DEDUCTIONS OF PAY AND ALLOWANCES—SUSPENSION FROM DUTY

When the pay and allowances of an officer or man have been restricted in accordance with article 208.07 and he ceases to be suspended from duty, the authority who suspended him may order a deduction equal to the whole or any part of the pay and allowances withheld under article 208.07.

(G) (PC 1954–18/893 of 17 Jun 54) (17 Jun 54)

**(208.44 TO 208.99 INCLUSIVE: NOT ALLOCATED)**

## 209.05—TRANSPORTATION OF OFFICERS AND MEN OF THE ROYAL NAVY ON LOAN TO THE ROYAL CANADIAN NAVY—(Cont'd)

(2) An officer of the Royal Navy, on completion of his loan period under article 10.21 (Loan) may, with the approval of the Chief of the Naval Staff, arrange his own passage to the United Kingdom. In such a case, the sums represented by the following items may be allowed:

(*a*) the cost of rail transportation at government rates and accommodation from the place at which the officer was stationed to the port at which he would have embarked for ocean passage if the journey had been arranged by the department;

(*b*) travelling allowance according to rank for the following period, if travelling from

(i) Victoria to Montreal or Quebec.....5 days,

(ii) Victoria to Halifax or Saint John.....6 days,

(iii) Ottawa to Montreal or Quebec.....Nil,

(iv) Ottawa to Halifax or Saint John.....1 day,

(v) Halifax to Montreal or Quebec.....1 day,

(vi) Halifax to Saint John.....Nil;

(*c*) the cost to the Department of ocean passage at minimum first class rates;

(*d*) allowance for ocean gratuities of $15.00; and

(*e*) with the approval of the Chief of the Naval Staff, the expenses incurred for sea freight and rail conveyance of the quantity of baggage allowed to be embarked or carried at government expense under article 209.32.

(3) When an officer makes his own arrangements under (2) of this article, the following shall be considered to be the total periods occupied by the complete journey from Canada to the United Kingdom for the purpose of assessing the date to which the officer is due to be paid from Canadian funds, if travelling from:

(*a*) Victoria by any route.....13 days,

(*b*) Ottawa by any route..... 9 days,

(*c*) Halifax, direct or via Saint John..... 8 days,

(*d*) Halifax, via Montreal or Quebec..... 9 days.

(4) No variation in the allowances prescribed in (2) of this article shall be made by reason of any incidental difference in the details of the journey, for example, that the Department might have booked the passage by a more expensive class of ship or that a longer period of travelling allowances would actually have been payable. No sum shall be allowed for taxis, porters' gratuities or other incidental expenses.

(5) A man of the Royal Navy who, on completion of his period of loan under article 10.21 (Loan) is enrolled in the Royal Canadian Navy, shall forfeit his right under this article to ocean passage, transportation, travelling allowances and travelling expenses.

(G)

## 209.06—TRANSPORTATION ON BEHALF OF THE ADMIRALTY

(1) At the request of an authority of the Royal Navy, railway transportation may be arranged in Canada for an officer or man of the Royal Navy.

(2) (*a*) The duplicate and triplicate copies of all transportation warrants issued under this article shall be marked "Chargeable Admiralty".

(*b*) The value of a transportation warrant issued under this article is recovered from the Admiralty through Naval Headquarters.

(3) Requests for ocean or air passage for an officer or man of the Royal Navy shall be forwarded to Naval Headquarters for action.

(G)

## (209.07 TO 209.19 INCLUSIVE: NOT ALLOCATED)

### *Section 2—Transportation and Accommodation*

## 209.20—TRANSPORT WARRANTS

(1) An officer or man who is authorized to travel at public expense shall, when practicable, obtain a transport warrant prior to departure to cover:

(*a*) transportation and accommodation as prescribed for his rank or status in the table to article 209.22; and

(*b*) subject to any orders issued by the Chief of the Naval Staff, meal tickets of the prescribed value as required for the journey.

(2) When an officer or man who is authorized to travel at public expense has not obtained a transport warrant, he shall be reimbursed in respect of the cost of his transportation and accommodation, either:

(*a*) the amount which would have been incurred by the public in providing a warrant, including tax if applicable; or

(b) the actual cost of his transportation and accommodation if his travelling claim is supported by a receipt for the ticket purchased, provided the mode of travel has been approved in accordance with the provisions of article 209.22(6).

(G)

## 209.205—ARRANGEMENTS FOR TRANSPORTATION

(1) Ocean and air transportation to and from the United Kingdom shall be arranged:

(*a*) to the United Kingdom, through Naval Headquarters; and

(*b*) from the United Kingdom, through the office of the Naval Member, Canadian Joint Staff, London. *(16 Oct 52)*

CHAPTER 209

# TRANSPORTATION AND TRAVELLING ENTITLEMENTS

*(Refer carefully to article 1.02 (Definitions) when reading every regulation in this chapter.)*

## *Section 1 – General*

### 209.01—DEFINITIONS

For the purposes of this chapter:

(*a*) "accommodation" means the berth, seat or other accommodation which may be provided an officer or man in a railway train or other conveyance;

(*b*) "incidental travelling expenses" means the expenses prescribed in section 4 of this chapter;

(*c*) "transportation" does not include accommodation, meals, gratuities and similar incidentals;

(*d*) "transportation and travelling expenses" means

(i) transportation and accommodation of the prescribed class, at public expense (*See article 209.22—"Classes of Transportation and Accommodation"*),

(ii) travelling allowances or expenses as prescribed in articles 209.30 and 209.31, or meal tickets of the prescribed value, and

(iii) incidental travelling expenses. (*See section 4.*)

(G)



### 209.02—UNPAID RANKS

The provisions of this chapter shall apply to officers and men holding unpaid acting ranks as though they held the equivalent paid rank.

(G)

### 209.03—PREPARATION AND SUBMISSION OF CLAIMS

(1) Claims for transportation and travelling expenses shall be prepared and submitted in such manner and supported by such receipts and vouchers as required by these Regulations and by any orders issued by the Chief of the Naval Staff.

(2) After a claim has been paid, no subsequent adjustment shall be made as a result of any antedated promotion or relinquishment of rank which is promulgated after such payment.

(G)

## 209.035—TRAVEL ORDER AND CLAIM

(1) Except as prescribed in (3) of this article, an officer or man who is required to travel on duty shall be issued with a Canadian Forces Travel Order and Claim (Form CNS 542).

(2) The person authorized to issue a Canadian Forces Travel Order and Claim (CNS 542) shall be responsible for determining whether or not the journey is in the public interest.

(3) When men travel in a draft of five or more, the person in charge of the draft shall be issued with a travel order and claim covering the entire party.

(4) As a travel order and claim is supplied to an officer or man for the purpose of providing authority to travel and claiming travelling expenses and travelling allowance, no payment of travelling expenses or travelling allowance shall be made unless:

(*a*) a travel order and claim is produced; or

(*b*) a satisfactory explanation is given as to its absence.

(C) (NS 2870-1) (1 Apr 57)

## 209.036—PAYMENT OF TRAVELLING CLAIMS

(1) Except as prescribed in (2) of this article, claims for travelling allowance and travelling expenses shall be:

(*a*) paid by the Supply Officer of a ship or fleet establishment; and

(*b*) forwarded to Naval Headquarters as cash account vouchers.

(2) The Supply Officer shall forward a claim to Naval Headquarters for consideration when:

(*a*) any doubt exists as to the correct rate of travelling allowance or travelling expenses payable; or

(*b*) when a claim is made for

(i) the refund of transportation purchased by an officer or man under article 209.20, or

(ii) a special rate of travelling allowance.

(C)

## 209.037—ADVANCES OF TRAVELLING ALLOWANCE AND TRAVELLING EXPENSES

(1) Subject to (4) of this article, when an officer or man has occasion to travel at government expense, he may apply to his Supply Officer for an advance to cover his estimated expenses.

(2) (*a*) The Supply Officer shall ensure that the amount of the advance is limited to the expected total of the claim and that the advance is not made unless the officer or man produces a travelling route order and expense sheet.

(*b*) The officer or man shall account for the advance within ten days after the end of the journey or the amount of the advance shall be recovered from him.

(3) (*a*) When an officer or man is required to travel on duty either frequently or extensively, he may, with prior approval from Naval Headquarters, be granted a standing advance within the limits of his estimated expenses for one month.

## 209.037—ADVANCES OF TRAVELLING ALLOWANCE AND TRAVELLING EXPENSES—(Cont'd)

(*b*) the officer or man shall

(i) account for the expended portion of the advance within ten days after the end of each month, and

(ii) finally account for the advance on the last day of the fiscal year or on changing duty, whichever date is earlier,

or the amount of the advance shall be recovered from him.

(4) An advance shall not be granted to an officer or man on release, except with the prior approval of Naval Headquarters.

(5) Instructions for the recovery of advances of travelling allowance and expenses are contained in the Supply and Accounting Manual.

(C) (7 Feb 53)

## 209.038—PASSPORTS

(1) (*a*) When an officer or man is required to proceed outside Canada on duty, he may be provided with an official passport.

(*b*) Official passports may be issued for dependents of an officer or man who is proceeding abroad on duty when the dependents are travelling with the officer or man at public expense. A certificate that the dependents are actually travelling at public expense shall accompany applications under this paragraph.

(*c*) No fee shall be charged for official passports.

(2) The officer or man concerned shall obtain the appropriate application form from any railway or steamship ticket office. Each application form required under (1) of this article shall:

(*a*) be completed and forwarded through the Captain to Naval Headquarters;

(*b*) be certified as prescribed in the instructions contained in the passport application form;

(*c*) be accompanied by two photographs, size 2″ by 2½″, with one of the two photographs certified as prescribed in the instructions contained in the passport application form; and

(*d*) be accompanied by any other passport in the possession of the applicant for cancellation.

(3) (*a*) The issue of official passports will be arranged at Naval Headquarters upon receipt of the passport application form in all properly authorized cases.

(*b*) Any official passports issued to an officer or man or to his dependents shall be returned to Naval Headquarters for cancellation upon the return of the officer or man to Canada.

(4) An officer or man who is not entitled to an official passport under this article may obtain an ordinary passport by making his own arrangements with the passport authorities and paying the required passport fee.

## 209.04—TRANSPORTATION WHEN PROCEEDING TO AND FROM NAVAL TRAINING AND SPECIAL DUTY

(1) An officer or man of the Reserves shall not be entitled to travel at Government expense when proceeding for Special Duty unless:

(*a*) Naval Training is performed immediately preceding or following the Special Duty; or

(*b*) the Chief of the Naval Staff authorizes transportation and travelling expenses.

(2) An officer or man of the Reserves who is permitted, at his own request, to interrupt his Naval Training before it is completed may be required to bear the cost of:

(*a*) any additional transportation incurred on discharge from the ship or naval establishment in which he is serving; and

(*b*) if he is subsequently allowed to complete his training, transportation on rejoining his ship or establishment.

(3) An officer or man who obtains any curtailment of his training period by fraudulent means while undergoing Naval Training shall be liable to refund the cost of transportation and travelling expenses involved.

(4) When an officer or man of the Reserves is placed on a period of Continuous Naval Duty immediately following a period of Special Duty, his entitlement to return transportation may be deferred.

(G)

## 209.05—TRANSPORTATION OF OFFICERS AND MEN OF THE ROYAL NAVY ON LOAN TO THE ROYAL CANADIAN NAVY

(1) (*a*) An officer or man of the Royal Navy who is appointed or drafted on loan to the Royal Canadian Navy under article 10.21 (Loan) shall be provided with

(i) ocean passage under article 209.22,

(ii) transportation and accommodation under article 209.22, and

(iii) travelling expenses,

from the ship or establishment of the Royal Navy in which he is serving to the ship or naval establishment which he is required to join.

(*b*) On completion of his period of loan to the Royal Canadian Navy under article 10.21 (Loan), an officer or man of the Royal Navy shall be provided with

(i) ocean passage under article 209.22,

(ii) transportation and accommodation under article 209.22, and

(iii) travelling expenses,

from the ship or naval establishment in which he is serving to the port of disembarkation in the United Kingdom, or the Royal Navy depot in the United Kingdom which he is required to join, as applicable.

## 209.05—TRANSPORTATION OF OFFICERS AND MEN OF THE ROYAL NAVY ON LOAN TO THE ROYAL CANADIAN NAVY—cont'd.

(2) An officer of the Royal Navy, on completion of his loan period under article 10.21 (Loan) may, with the approval of the Chief of the Naval Staff, arrange his own passage to the United Kingdom. In such a case, the sums represented by the following items may be allowed:

(*a*) the cost of rail transportation at Government rates and accommodation from the place at which the officer was stationed to the port at which he would have embarked for ocean passage if the journey had been arranged by the Department;

(*b*) travelling allowance according to rank for the following period, if travelling from:

(i) Victoria to Montreal or Quebec.....5 days,

(ii) Victoria to Halifax or Saint John.....6 days,

(iii) Ottawa to Montreal or Quebec.....Nil

(iv) Ottawa to Halifax or Saint John.....1 day,

(v) Halifax to Montreal or Quebec.....1 day,

(vi) Halifax to Saint John.....Nil;

(*c*) the cost to the Department of ocean passage at minimum first class rates;

(*d*) allowance for ocean gratuities of $15.00; and

(*e*) with the approval of the Chief of the Naval Staff, the expenses incurred for sea freight and rail conveyance of the quantity of baggage allowed to be embarked or carried at Government expense under article 209.32.

(3) When an officer makes his own arrangements under (2) of this article, the following shall be considered to be the total periods occupied by the complete journey from Canada to the United Kingdom for the purpose of assessing the date to which the officer is due to be paid from Canadian Funds, if travelling from:

(i) Victoria by any route.....13 days,

(ii) Ottawa by any route..... 9 days,

(iii) Halifax, direct or via Saint John..... 8 days,

(iv) Halifax, via Montreal or Quebec..... 9 days.

(4) No variation in the allowances prescribed in (2) of this article shall be made by reason of any incidental difference in the details of the journey, for example, that the Department might have booked the passage by a more expensive class of ship or that a longer period of travelling allowances would actually have been payable. No sum shall be allowed for taxis, porters' gratuities or other incidental expenses.

(5) A man of the Royal Navy who, on completion of his period of loan under article 10.21 (Loan) is enrolled in the Royal Canadian Navy, shall forfeit his right under this article to ocean passage, transportation, travelling allowances and travelling expenses.

(G)

## 209.06—TRANSPORTATION ON BEHALF OF THE ADMIRALTY

(1) At the request of an authority of the Royal Navy, railway transportation may be arranged in Canada for an officer or man of the Royal Navy.

(2) (*a*) the duplicate and triplicate copies of all transportation warrants issued under this article shall be marked "Chargeable Admiralty".

(*b*) The value of a transportation warrant issued under this article is recovered from the Admiralty through Naval Headquarters.

(3) Requests for ocean or air passage for an officer or man of the Royal Navy shall be forwarded to Naval Headquarters for action.

(G)

## (209.07 TO 209.19 INCLUSIVE: NOT ALLOCATED)

### *Section 2—Transportation and Accommodation*

## 209.20—TRANSPORT WARRANTS

(1) An officer or man who is authorized to travel at public expense shall, when practicable, obtain a transport warrant prior to departure to cover:

(*a*) transportation and accommodation as prescribed for his rank or status in the table to article 209.22; and

(*b*) subject to any orders issued by the Chief of the Naval Staff, meal tickets of the prescribed value as required for the journey.

(2) When an officer or man who is authorized to travel at public expense has not obtained a transport warrant, he shall be reimbursed in respect of the cost of his transportation and accommodation, either:

(*a*) the amount which would have been incurred by the public in providing a warrant, including tax if applicable; or

(*b*) the actual cost of his transportation and accommodation if his travelling claim is supported by a receipt for the ticket purchased, provided the mode of travel has been approved in accordance with the provisions of article 209.22(5).

(G)

## 209.205—ARRANGEMENTS FOR TRANSPORTATION

(1) Ocean and air transportation to and from the United Kingdom shall be arranged:

(*a*) to the United Kingdom, through Naval Headquarters; and

(*b*) from the United Kingdom, through the office of the High Commissioner for Canada, London, England.

## 209.205—ARRANGEMENTS FOR TRANSPORTATION—(Cont'd)

(2) When telegraphic orders for transportation are required, the necessary arrangements shall be made through Naval Headquarters, as the Canadian railway companies do not recognize such orders for transportation except from the Department.

(3) Transportation from Government funds shall not be granted to an officer or man who travels on a personal pass which entitles him to free transportation on the conveyance used.

(C)

## 209.206—ISSUE AND CUSTODY OF TRANSPORT WARRANTS

(1) (*a*) The persons authorized to issue transport warrants shall be designated in Naval General Orders. Each transport warrant issued shall bear a notation identifying the issuing authority.

(*b*) The date stamp of the ship or establishment shall be used to identify the authority empowered to issue a transport warrant. *(24 Jul 56)*

(2) The person authorized to issue transport warrants under (1) of this article shall be responsible for ensuring that:

(*a*) full details of the journey are shown on the warrant;

(*b*) the class of transportation and accommodation authorized in article 209.22 is not exceeded; and

(*c*) the full details of the journey as shown on the warrant are shown in block "B" of a properly authorized Canadian Forces Travel Order and Claim (CNS 542). *(1 Apr 57)*

(3) A person authorized to issue transport warrants under (1)(*a*) of this article shall be responsible:

(*a*) that transport warrants

(i) are kept under lock and key when not in use, and

(ii) cannot be obtained or used by persons not entitled to them; and

(*b*) that he

(i) inspects the transport warrant book twice-monthly, and

(ii) thoroughly examines the counterfoils and warrants remaining in the book at each inspection. *(24 Jul 56)*

(4) Except as prescribed in Naval General Orders, recoverable transport warrants shall only be issued in exceptional circumstances with the approval of the Chief of the Naval Staff. The cost of any transportation issued to a man under article 209.209 (Recoverable Transport Warrants) shall be recovered from him.

(5) (*a*) Transport warrants shall be prepared in accordance with the instructions contained in the Supply and Accounting Manual.

(*b*) A return of transport warrants issued shall be rendered weekly to Naval Headquarters in the manner prescribed in the Supply and Accounting Manual.

(C)

## 209.207—SPECIAL RATES FOR RAILWAY TRANSPORTATION

(1) The rates of railway transportation for officers and men travelling on duty in Canada are:

(*a*) first class—3½ cents per mile;

(*b*) second class—2½ cents per mile. *(1 May 52)*

(2) When regular public, public return or excursion rates are less than the rates prescribed in (1) of this article, transportation shall be obtained at the public or excursion rates.

(C)

## 209.208—UNUSED RAILWAY TICKETS

(1) When a supply officer is paying a travelling claim, he shall ensure that all unused portions of railway tickets or other receipts which have a refund value are recovered from the officer or man concerned. The tickets or receipts shall be forwarded to Naval Headquarters in the manner prescribed in Naval General Orders.

(2) When a ticket forwarded to Naval Headquarters for refund bears a baggage punch cut, the following information shall be noted on the reverse side:

(*a*) the approximate weight of the baggage; and

(*b*) whether the baggage was

(i) transported to the destination shown on the ticket, or

(ii) transported only to the point where the officer or man left the train, or

(iii) reclaimed prior to departure of the train at the commencement of the journey.

(3) An officer or man who leaves a train prior to reaching the destination shown on his ticket shall ensure, if he intends to claim refund, that the conductor indicates the station at which he leaves on the reverse side of his ticket.

(4) As railway companies make no refund for accommodation not cancelled prior to the departure of trains, it is essential that officers and men cancel their reservations immediately on receipt of information that the reservation will not be required. Unused sleeping or parlour car tickets forwarded to Naval Headquarters for refund shall be accompanied by a statement that this procedure was carried out.

(C)

## 209.209—RECOVERABLE TRANSPORT WARRANTS

(1) An officer or man who loses his return transportation ticket and is without funds or has insufficient funds to enable him to rejoin his ship or naval establishment from leave, shall apply to the nearest authority of the Royal Canadian Navy, Canadian Army, Royal Canadian Air Force or Royal Canadian Mounted Police for a ticket.

**209.209—RECOVERABLE TRANSPORT WARRANTS—(Cont'd)**

(2) When a recoverable transport warrant is issued as a result of an application made under (1) of this article, the cost, including any miscellaneous expenditures from public funds, shall be recovered from the officer or man concerned in the manner prescribed in Naval General Orders.

(C) (NS 2870–1) (1 Apr 57)

**209.21—MEAL TICKETS**

When an officer or man is provided with a transport warrant covering transportation and meal tickets for a journey by rail, the value of the meal tickets shall be as prescribed by the Chief of the Naval Staff, but not exceeding the rates authorized by article 209.30(4).

(G)

**209.22—CLASSES OF TRANSPORTATION AND ACCOMMODATION**

(1) Subject to any orders issued by the Chief of the Naval Staff, an officer or man travelling on duty shall, except as otherwise prescribed in this article, be entitled to the class of transportation and accommodation prescribed for his rank in the table to this article.

(2) (*a*) An officer or man travelling overnight by coastal or inland steamship shall be entitled to the class of accommodation prescribed for his rank in the table to this article for travel by sea.

(*b*) Except as prescribed in (*c*) of this paragraph, an officer or Chief Petty Officer 1st class shall be entitled to a single occupancy cabin.

(*c*) When two officers below the rank of Commodore, or two Chief Petty Officers, 1st class, are travelling together, they shall be entitled to a double occupancy cabin only, if available.

(3) If the appropriate railway equipment is available, when travelling by special train in Canada or the United States of America:

(*a*) officers shall be provided

(i) for day travel only, with parlour car accommodation and transportation at first class rate, or

(ii) when night travel is involved, with standard berth and transportation at first class rate;

(*b*) chief petty officers first class shall be provided

(i) for day travel only, with day coach accommodation and transportation at second class rate, or

(ii) when night travel is involved, with standard berth and transportation at first class rate;

(*c*) chief petty officers second class and below shall be provided

(i) for day travel only, with day coach accommodation and transportation at second class rate, or

(ii) when night travel is involved, tourist berth and transportation at second class rate, or, if tourist berth is not available, with standard berth and transportation at first class rate.

# TABLE TO ARTICLE 209.22

| Note:—Accommodation is designated A, B, C or D. It shall be supplied in that order of preference according to its availability. | BY RAIL IN NORTH AMERICA | | | | | | | | BY RAIL IN UNITED KINGDOM | | BY SEA | | | BY AIR | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Day and night or night journey | | | | | | Day Journey | | | | | | | In North America and Europe | | Transoceanic or other than in North America and Europe | |
| | First Class Rate | | | | | Second Class Rate | First Class Rate | Second Class Rate | | | | | | | | | |
| PERSONNEL ENTITLED | Drawing Room | Compartment | Bedroom | Duplex Roomette | Standard Berth | Tourist Berth | Parlour Car | Day Coach | First Class | Third Class | First Class | Cabin Class | Tourist Class | First Class | Tourist Class | First Class | Tourist Class |
| Member of the Defence Council and Rear Admiral and above | B | A | C | D | – | – | A | B | A | B | A | B | – | A | B | A | B |
| Commodore | C | B | A | D | – | – | A | B | A | B | A | B | – | A | B | A | B |
| Captain | – | D | C | B | *A | – | A | B | A | B | A | B | – | A | B | – | A |
| Commander | – | – | C | B | *A | – | A | B | A | B | A | B | – | A | B | – | A |
| Lieutenant-Commander or an officer below that rank | – | – | – | B | A | C | A | B | A | B | A | B | C | A | B | – | A |
| An officer carrying protected documents of a high category may, on the written authority of a Captain or above, be provided with accomodation above that prescribed for his rank | C | B | A | D | – | – | – | – | A | – | A | B | – | A | B | – | A |
| Chief Petty Officer 1st Class | – | – | – | C | A | B | – | A | B | A | B | A | C | B | A | – | A |
| Chief Petty Officer 2nd Class and Petty Officer 1st Class | – | – | – | – | A | B | – | A | B | A | C | B | A | B | A | – | A |
| Petty Officer 2nd Class and below | – | – | – | – | B | A | – | A | B | A | C | B | A | B | A | – | A |

*Entitled to a lower berth, but if a lower berth is not available, a duplex roomette or bedroom may be supplied, in that order.

**209.22—CLASSES OF TRANSPORTATION AND ACCOMMODATION—(Cont'd)**

(4) An officer may be provided with a superior class of accommodation in accordance with the table to this article when travelling by day or night if the Minister, being of the opinion that such accommodation is warranted by the nature of the duty the officer is performing, so authorizes.

(5) An officer or man who is an invalid may, on the recommendation of a medical officer, be provided with such transportation and accommodations as considered necessary.

(6) An officer or man may be provided with transportation by air in accordance with the table to this article only when air transportation is the most practical or economical method of travel.

(7) An officer below the rank of Commodore may be provided with first class transportation and accommodation when travelling transoceanic, or other than in North America and Europe, by air:

(*a*) if tourist class accommodation is not available and in the opinion of the Chief of the Naval Staff such accommodation is warranted by the nature of the duty the officer is performing; or

(*b*) if accompanying an officer of the rank of Commodore or above, or a member of Defence Council.

(8) An officer or man travelling by air may be provided with first class transportation and berth:

(*a*) if it is necessary to travel two or more successive nights by air; or

(*b*) if it is necessary for an officer of the rank of Rear Admiral or above or a member of Defence Council to travel overnight by air and the Minister so authorizes.

(G) (PC 1956–13/1172 of 2 Aug 56) (NS 4983–1) (2 Aug 56)

**(209.23 AND 209.24: NOT ALLOCATED)**

**209.25—USE OF PRIVATE MOTOR CARS AND PRIVATE MOTORCYCLES—FOR PERSONAL CONVENIENCE**

(1) When it is more convenient for an officer or man to travel on duty by private motor car or private motorcycle, he may, with the approval of one of the officers designated in, and subject to, any orders issued by the Chief of the Naval Staff, be authorized to:

(*a*) use his private motor car or private motorcycle; or

(*b*) travel as a passenger in the private motor car or private motorcycle of another officer or man.

(2) An officer or man who is authorized to use his private motor car or private motorcycle under this article shall be entitled to reimbursement in an amount equal to the transportation and travelling expenses for which he would have been reimbursed if the journey had been made by air, rail, bus or ship, as applicable, excluding tax.

(3) An officer or man who is authorized under this article to use his private motor car or private motorcycle may also be authorized to provide transportation therein for other officers or men who are travelling on duty, but by so doing he shall not be entitled to be reimbursed otherwise than as prescribed in (2) of this article.

## 209.25—USE OF PRIVATE MOTOR CARS AND PRIVATE MOTORCYCLES—FOR PERSONAL CONVENIENCE—(Cont'd)

(4) An officer or man who is authorized under this article to travel as a passenger in the private motor car or private motorcycle of another officer or man shall be entitled only to travelling allowances and incidental travelling expenses for the time which would have been required to make the journey by air, rail, bus or ship, as applicable.

(5) (*a*) Subject to (*b*) of this paragraph, the Crown does not assume any liability or responsibility for any accident, injury or damage to any persons or property whatsoever which may occur while a private motor car or private motorcycle is being used by an officer or man, nor will any compensation be payable for, or in respect of, any wear and tear of that private motor car or motorcycle or its equipment.

(*b*) Nothing in (*a*) of this paragraph shall be construed as limiting any right of the officer or man to pension, medical treatment or hospitalization.

(G)

## 209.255—REIMBURSEMENT OF FERRY CHARGES

(1) When an officer or man is appointed or drafted to or from a place of duty in Newfoundland and is authorized under article 209.25 to use his private motor car or private motorcycle to travel to his new place of duty, he shall be entitled to reimbursement of the cost of ferrying his private motor car or private motorcycle to or from the mainland of Canada as applicable.

(2) A claim under this article shall be supported by a receipt and reimbursement shall be limited to the lesser of the amount of the actual charges or the cost of transporting an automobile or motorcycle, as applicable, between North Sydney, Nova Scotia and St. John's, Newfoundland.

(G) (PC 1956—14/738 of 17 May 56) (31 Jan 56)

## 209.26—USE OF PRIVATE MOTOR CARS AND PRIVATE MOTORCYCLES—IN THE PUBLIC INTEREST

(1) When it is in the public interest for an officer or man to travel on duty by private motor car or motorcycle, he may, with the approval of one of the officers designated in, and subject to, any orders issued by the Chief of the Naval Staff, be authorized to:

(*a*) use his private motor car or private motorcycle; or

(*b*) travel as a passenger in the private motor car or private motorcycle of another officer or man.

(2) An officer or man who is authorized to use his private motor car or private motorcycle under this article shall be entitled:

(*a*) to reimbursement at the rate of nine cents per mile for a motor car and three cents per mile for a motorcycle, based on the actual milage necessarily travelled; and

(*b*) to travelling allowances and incidental travelling expenses under the provisions of this chapter for the time necessarily spent during the journey.

**209.26—USE OF PRIVATE MOTOR CARS AND PRIVATE MOTORCYCLES—IN THE PUBLIC INTEREST—(Cont'd)**

(3) An officer or man who is authorized under this article to use his private motor car or private motorcycle may also be authorized to provide transportation therein for other officers or men who are travelling on duty, but by so doing he shall not be entitled to be reimbursed otherwise than as provided in (2) of this article.

(4) An officer or man who is authorized under this article to travel as a passenger in the private motor car or private motorcycle of another officer or man shall be entitled only to travelling allowances and incidental travelling expenses for the time necessarily spent during the journey.

(5) (*a*) Subject to (*b*) of this paragraph, the Crown does not assume any liability or responsibility for any accident, injury or damage to any persons or property whatsoever which may occur while a private motor car or private motorcycle is being used by an officer or man, nor will any compensation be payable for, or in respect of, any wear and tear of that private motor car or motorcycle or its equipment.

(*b*) Nothing in (*a*) of this paragraph shall be construed as limiting any right of the officer or man to pension, medical treatment or hospitalization.

(G) (PC 2/6960 of 29 Dec 51) (NS 2400-2) (1 Sep 51)

**(209.27: RESERVED—ARMY AND AIR FORCE)**

**(209.28 AND 209.29: NOT ALLOCATED)**

*Section 3 — Travelling Allowances*

**209.30—TRAVELLING ALLOWANCES—DAILY RATES AND CONDITIONS**

(1) For the purpose of this article:

(*a*) an officer or man shall be deemed to be provided with quarters when any quarters are made available to him at public expense; and

(*b*) an officer or man shall be deemed to be supplied with rations when he is provided with meals at public expense.

**209.255—REIMBURSEMENT OF FERRY CHARGES—(Cont'd)**

(2) A claim under this article shall be supported by a receipt and reimbursement shall be limited to the lesser of the amount of the actual charges or the cost of transporting an automobile or motorcycle, as applicable, between North Sydney, Nova Scotia and St. John's, Newfoundland.

(G) (PC 1956–14/738 of 17 May 56) (31 Jan 56)

**209.26—USE OF PRIVATE MOTOR CAR OR PRIVATE MOTORCYCLE—ON APPOINTMENT, DRAFT, OR RELEASE**

(1) When an officer or man is required to travel on appointment or draft from one place of duty to another, or on release, he may, with the approval of his commanding officer, and subject to any orders issued by the Chief of the Defence Staff, be authorized to:

*(1 Aug 64)*

(*a*) use his private motor car or private motorcycle; or

(*b*) travel as a passenger in the private motor car or private motorcycle operated by another officer or man.

(2) An officer or man when authorized to use his private motor car or motorcycle under (1)(*a*) of this article, shall, in lieu of transportation, be entitled to an allowance of four cents per mile for motor car operating expenses, or three cents per mile for motorcycle operating expenses and, in lieu of travelling expenses, an additional three cents per mile for himself, based on direct road milage between his places of duty or, if on release, to the place to which he is entitled to transportation under article 209.70.

(3) An officer or man when authorized to travel as a passenger under (1)(*b*) of this article shall, in lieu of transportation and travelling expenses, be entitled to an allowance based on direct road milage between his places of duty or if on release, to the place to which he is entitled to transportation under article 209.70, of:

(*a*) one and one-half cents per mile for an officer or man for a distance in excess of 100 miles, but not exceeding 300 miles;

(*b*) three cents per mile for an officer and two cents per mile for a man for a distance exceeding 300 miles.

(G) (PC 1963–10/1 of 3 Jan 63) (1 Mar 63)

**(209.27: RESERVED—ARMY AND AIR FORCE)**

**(209.28 AND 209.29: NOT ALLOCATED)**

## Section 3—Travelling Allowances

**209.30—TRAVELLING ALLOWANCES—DAILY RATES AND CONDITIONS**

(1) For the purpose of this article:

(*a*) an officer or man shall be deemed to be provided with quarters when any quarters are made available to him at public expense; and

(*b*) an officer or man shall be deemed to be supplied with rations when he is provided with meals at public expense.

## 209.30—TRAVELLING ALLOWANCES—DAILY RATES AND CONDITIONS—(Cont'd)

(2) Subject to the remainder of this article, an officer or man when travelling on duty or while absent from his ship or naval establishment on duty for a net period of twenty-four hours or more, shall be entitled to travelling allowances:

(*a*) when he cannot be provided with quarters and is not supplied with rations, at the daily rate prescribed for his rank in table "A" to this article;

(*b*) when he cannot be provided with quarters, but is supplied with rations, at the daily rate prescribed for his rank in table "B" to this article;

(*c*) when he can be provided with quarters, but is not supplied with rations, at the daily rate prescribed for his rank in table "C" to this article; or

(*d*) when he can be provided with quarters and can obtain meals in the ship or establishment, and would be supplied with rations but for the fact that rations are not issued to such ship or establishment, equivalent to Ration Allowance at the rate prescribed in article 205.01(1)(*c*)(ii) (Subsistence, Quarters and Ration Allowances —Rates and Conditions).

(3) (*a*) Except as prescribed in (*b*) of this paragraph, an officer or man who is absent from his ship or naval establishment on temporary duty for a net period of twenty-four hours or more during which he can be provided with quarters and is supplied with rations at the place of temporary duty, shall be entitled to an allowance at the daily rate prescribed for his rank in table "D" to this article.

(*b*) An officer or man shall not be entitled to the allowance prescribed in (*a*) of this paragraph when on duty in a naval establishment temporarily established for the purpose of instruction or drill and training of officers and men.

(4) (*a*) An officer or man shall not be entitled to travelling allowances during any period transportation is provided at public expense by rail, ship, commercial aircraft, service aircraft, or interurban bus except that time spent awaiting connection between such carriers shall not be included in computing the period transportation is provided at public expense. (*5 Nov 64*)

(*b*) Subject to any limitations prescribed by the Chief of the Defence Staff, an officer or man travelling by rail, ship, service aircraft, or interurban bus shall be entitled to a meal allowance at the following rates: (*1 Aug 64*)

| | Travel By Rail or Ship | Travel by Service Aircraft or Interurban Bus |
|---|---|---|
| breakfast | $1.80 | $1.25 |
| lunch | 2.40 | 1.50 |
| dinner | 2.75 | 2.25 |

(*c*) When travelling by commercial airlines and meals are not included in the fare, an officer or man shall be entitled to a meal allowance at the rates prescribed for travel by rail or ship in (*b*) of this paragraph. (*15 Sep 58*)

(*d*) In special circumstances the Minister may authorize a meal allowance for meals procured from sources outside Canada at rates higher or lower than those prescribed in (*b*) of this paragraph. (*9 Jul 52*)

## 209.30—TRAVELLING ALLOWANCES—DAILY RATES AND CONDITIONS —(Cont'd)

(2) Subject to the remainder of this article, an officer or man when travelling on duty or while absent from his ship or naval establishment on duty for a net period of twenty-four hours or more, shall be entitled to travelling allowances:

(*a*) when he cannot be provided with quarters and is not supplied with rations, at the daily rate prescribed for his rank in table "A" to this article;

(*b*) when he cannot be provided with quarters, but is supplied with rations, at the daily rate prescribed for his rank in table "B" to this article;

(*c*) when he can be provided with quarters, but is not supplied with rations, at the daily rate prescribed for his rank in table "C" to this article; or

(*d*) when he can be provided with quarters and can obtain meals in the ship or establishment, and would be supplied with rations but for the fact that rations are not issued to such ship or establishment, equivalent to Ration Allowance at the rate prescribed in article 205.01(1)(*c*)(ii) (Subsistence, Quarters and Ration Allowances —Rates and Conditions).

(3) (*a*) Except as prescribed in (*b*) of this paragraph, an officer or man who is absent from his ship or naval establishment on temporary duty for a net period of twenty-four hours or more during which he can be provided with quarters and is supplied with rations at the place of temporary duty, shall be entitled to an allowance at the daily rate prescribed for his rank in table "D" to this article.

(*b*) An officer or man shall not be entitled to the allowance prescribed in (*a*) of this paragraph when on duty in a naval establishment temporarily established for the purpose of instruction or drill and training of officers and men.

(4) (*a*) An officer or man shall not be entitled to travelling allowances during any period of transportation provided at public expense by rail, ship or commercial aircraft.

(*b*) Subject to any limitations prescribed by the Chief of the Naval Staff, an officer or man travelling by rail or ship shall be entitled to a meal allowance at the following rates:

| | |
|---|---|
| breakfast | $1.65 |
| lunch | 2.00 |
| dinner | 2.35. |

(*c*) When travelling by commercial airlines and meals are not included in the fare, an officer or man shall be entitled to a meal allowance at the rates prescribed in (*b*) of this paragraph.

(*d*) In special circumstances the Minister may authorize a meal allowance for meals procured from sources outside Canada at rates higher or lower than those prescribed in (*b*) of this paragraph. *(9 Jul 52)*

(5) Subject to article 209.34 (Authorization of Special Travelling Allowance by the Minister) when an officer or man is required to remain on temporary duty in one place for a period in excess of thirty days, the travelling allowance prescribed for his rank in table "A", "B" or "C" to this article, if otherwise applicable, shall, commencing on the thirty-first day, be reduced to an amount equivalent to the allowance in lieu of subsistence, quarters or rations, as applicable, at the rate prescribed for his rank at the place of temporary duty provided that, when an amount equivalent to Subsistence Allowance, as prescribed

## 209.30—TRAVELLING ALLOWANCES—DAILY RATES AND CONDITIONS —(Cont'd)

in article 205.01, is paid under the authority of this article, it shall be paid at the rate prescribed in column "A" of the table to article 205.01. *(1 May 53)*

(6) Subject to (4)(*a*) of this article, for the purpose of computing entitlement to the applicable daily rate of travelling allowances prescribed in this article:

(*a*) the full daily rate shall be payable

(i) for each complete period of twenty-four hours from the time an officer or man leaves his ship or naval establishment until he returns thereto, and

(ii) for any remaining period of twelve hours or over;

(*b*) one-half the daily rate shall be payable for any period of six hours or more but less than twelve hours, which immediately follows a twenty-four hour period;

(*c*) a period of less than six hours shall be disregarded; and

(*d*) subject to any orders issued by the Chief of the Naval Staff,

(i) when a train or other public conveyance is employed, the time of departure or arrival shall be deemed to be the scheduled time of departure or arrival of the conveyance used, or

(ii) when travel by private motor car or private motorcycle is authorized under article 209.26, or when service aircraft is employed, the actual time of departure or arrival shall be used in determining the period of absence.

(7) Subject to any orders issued by the Chief of the Naval Staff, claims for travelling allowances at the daily rates prescribed in this article shall be certified, when applicable, that quarters or rations, or both, were not available:

(*a*) by the claimant, when the period claimed is seven days or less; or

(*b*) by the Captain of the ship or establishment visited, when the period claimed is in excess of seven days.

(G)

TABLE "A" TO ARTICLE 209.30
TRAVELLING ALLOWANCES IN LIEU OF QUARTERS AND RATIONS

| Rank | Daily Rate For a period not exceeding 30 days in one place |
|---|---|
| | $ |
| Captain and above | 10.50 |
| Commander and Lieutenant-Commander | 9.50 |
| Lieutenant and officers below that rank | 8.50 |
| Chief Petty Officer 1/c | 7.50 |
| Chief Petty Officer 2/c and below | 7.00 |

## 209.30—TRAVELLING ALLOWANCES—DAILY RATES AND CONDITIONS —(Cont'd)

TABLE "B" TO ARTICLE 209.30

TRAVELLING ALLOWANCES IN LIEU OF QUARTERS

| Rank | Daily Rate For a period not exceeding 30 days in one place |
|---|---|
| | $ |
| Captain and above | 5.50 |
| Commander and Lieutenant-Commander | 5.00 |
| Lieutenant and officers below that rank | 4.50 |
| Chief Petty Officer 1/c | 3.50 |
| Chief Petty Officer 2/c and below | 3.00 |

TABLE "C" TO ARTICLE 209.30

TRAVELLING ALLOWANCES IN LIEU OF RATIONS

| Rank | Daily Rate For a period not exceeding 30 days in one place |
|---|---|
| | $ |
| Captain and above | 5.00 |
| Commander and Lieutenant-Commander | 4.50 |
| Lieutenant and officers below that rank | 4.00 |
| Chief Petty Officer 1/c and below | 4.00 |

TABLE "D" TO ARTICLE 209.30

TRAVELLING ALLOWANCES WHERE QUARTERS AND RATIONS ARE PROVIDED

| Rank | Daily Rate |
|---|---|
| | $ |
| Officers | 1.20 |
| Chief Petty Officers and Petty Officers | 0.20 |

## 209.31—TRAVELLING EXPENSES—PERIODS OF LESS THAN TWENTY-FOUR HOURS

(1) An officer or man when travelling on duty or while absent from his ship or naval establishment on duty for a net period of less than twenty-four hours shall, subject to (2) of this article, be entitled to reimbursement for his actual and reasonable expenses incurred for lodging, meals and incidental travelling expenses.

## 209.31—TRAVELLING EXPENSES—PERIODS OF LESS THAN TWENTY-FOUR HOURS—(Cont'd)

(2) An officer or man entitled to reimbursement of expenses under (1) of this article shall not be entitled to be reimbursed for any expenses incurred:

(*a*) for lodging and meals in excess of the daily rate of travelling allowance prescribed for his rank in table "A" to article 209.30; or

(*b*) except as prescribed in article 209.30(4), for meals at a rate in excess of

| | |
|---|---|
| breakfast | $1.00 |
| luncheon | 1.25 |
| dinner | 1.75. |

(3) For the purpose of computing the net period under (1) of this article, any period during which an officer or man is provided with quarters and rations or is being conveyed and provided with meals during such conveyance shall be deducted from the total period of absence.

(G)

## 209.32—SHIPMENT OF EXCESS BAGGAGE

(1) Subject to (2), (3), (4) and (5) of this article, an officer or man travelling on duty shall be entitled, at public expense, to shipment of his excess baggage at express or excess baggage rates.

(2) The weight of excess baggage which may be shipped under (1) of this article shall not exceed the difference between the weight of baggage conveyed free by the transportation company and:

(*a*) for an officer, 500 pounds; or

(*b*) for a man, 200 pounds.

(3) When an officer or man is authorized to travel by air, the amount of baggage which may accompany him by air shall be as prescribed by the Chief of the Naval Staff, not exceeding the entitlement prescribed in (2) of this article.

(4) Entitlement shall be only for the amount of additional baggage which the Captain has certified as being necessary for the performance of the duty on which the officer or man is travelling.

(5) The Minister may, in exceptional circumstances, increase the maximum amount of excess baggage which may be shipped under this article.

(G) (30 Apr 53)

## 209.33—TRANSFER OF BAGGAGE

When an officer or man is entitled to transportation of his baggage at public expense and Service Transport is not available, he shall, subject to any orders issued by the Chief of the Naval Staff, be entitled to reimbursement for any expense incurred in transferring his baggage:

(*a*) to and from his residence, ship or naval establishment and the railway station, wharf or airport, as applicable; and

(*b*) when necessary, between railway stations, wharves or airports, as applicable.

(G)

## 209.34—AUTHORIZATION OF SPECIAL TRAVELLING ALLOWANCE BY THE MINISTER

(1) Notwithstanding the provisions of article 209.30(5), when an officer or man proceeds on duty in Canada or elsewhere and the rates prescribed in table "A", "B" or "C" to article 209.30, as applicable, are not equitable, the Minister may authorize a special travelling allowance for a period of not more than sixty days in one place at a rate higher or lower than that prescribed in article 209.30, except that no special travelling allowance shall be authorized at a rate exceeding $12.50 per day in Canada and $15.00 per day outside Canada, in Canadian Funds.

(2) When the reduced rates of travelling allowances prescribed in article 209.30(5) are not equitable, the Minister may, in lieu thereof, authorize a travelling allowance for a further period not exceeding thirty days at a rate not exceeding that prescribed for the rank of the officer or man in table "A", "B" or "C" to article 209.30, as applicable.

(G)

**(209.35 TO 209.39 INCLUSIVE: NOT ALLOCATED)**

### *Section 4—Incidental Travelling Expenses*

## 209.40—GRATUITIES WHEN TRAVELLING BY RAIL

An officer or man when travelling on duty by rail shall be entitled to reimbursement for his actual and reasonable expenses necessarily incurred for gratuities, not exceeding such rates as may be authorized from time to time by the Minister.

(G) (PC 16/4536 of 30 Aug 51) (NS 2420–455) (1 Sep 51)

## 209.405—RATES OF GRATUITIES WHEN TRAVELLING BY RAIL

The rate of reimbursement for gratuities to sleeping car and parlour car attendants authorized by the Minister under article 209.40 are as prescribed in the table to this article.

(C)

TABLE TO ARTICLE 209.405

| Accommodation | Gratuity |
|---|---|
| (*a*) Standard or Tourist | 50¢ for each night. |
| Sleeping Car | 25¢ for each day or half day. |
| (*b*) Parlour Car | 25¢ for each day a seat is provided and occupied. |

(C)

## 209.41—GRATUITIES WHEN TRAVELLING ON OCEAN PASSAGES

(1) Subject to (2) of this article and to any limitations prescribed by the Chief of the Naval Staff in respect of travel in troopships, an officer or man when travelling on duty on ocean passages shall be entitled to reimbursement for his actual and reasonable expenses for gratuities to stewards at a rate for each voyage not exceeding:

**209.41—GRATUITIES WHEN TRAVELLING ON OCEAN PASSAGES—(Cont'd)**

(*a*) $15.00 for officers and Chief Petty Officers 1st Class;

(*b*) $10.00 for Chief Petty Officers 2nd Class and below.

(2) In exceptional circumstances the Minister may authorize higher rates than those prescribed in (1) of this article.

(3) An officer or man when travelling on duty on ocean passages by trans-oceanic air lines shall be entitled to reimbursement for gratuities to stewards at the rate of $2.50 for each passage, if such gratuities are permissible under the air lines' regulations.

(G)

**209.42—TAXI FARES**

(1) An officer when travelling on duty shall be entitled to reimbursement for actual and reasonable expenses necessarily incurred for taxis.

(2) A man when travelling on duty shall be entitled to reimbursement for actual and reasonable expenses necessarily incurred for taxis if he:

(*a*) is necessarily travelling with baggage for which transportation is not provided under article 209.33 (Transfer of Baggage); or

(*b*) is accompanied by his dependents; or

(*c*) is an invalid or the escort of an invalid and the use of a taxi is approved by a medical officer; or

(*d*) is the escort of a man in custody; or

(*e*) in special circumstances not specified in (*a*), (*b*), (*c*) or (*d*) of this paragraph, and with the approval of his Captain, travels by taxis when government transport or public transportation is not available.

(G)

**209.43—MISCELLANEOUS TOLLS AND CHARGES**

An officer or man, when travelling on duty, shall be entitled to reimbursement for actual and reasonable expenses necessarily incurred for ferry and other tolls, telephone and telegraph charges, and similar incidentals.

(G)

**(209.44 TO 209.49 INCLUSIVE: NOT ALLOCATED)**

*Section 5—Transportation on Leave*

**209.50—TRANSPORTATION ON LEAVE**

(1) For the purpose of this article, "home" shall mean

(*a*) for an officer or man in receipt of Marriage Allowance,

(i) the last place to which his wife or dependent child has been moved at public expense, or

(ii) if the wife or dependent child has not been moved at public expense, the place where they are residing; or

(*b*) for an officer or man not in receipt of Marriage Allowance,

(i) the place where his parent is residing, or

(ii) if his parents are deceased, subject to the approval of the Senior Officer in Command, the place where his officially recorded next of kin is residing.

(*2 Aug 56*)

**209.50—TRANSPORTATION ON LEAVE—(Cont'd)**

(2) Subject to (3) of this article, and except as provided in articles 209.51 and 209.52, an officer or man proceeding to his home on leave with pay and allowances shall, on one occasion only in each leave year, for the portion of the journey actually made in Canada or between Canadian points, be entitled to an allowance calculated at the rate of two and one-half cents per mile for each mile of the complete journey that is not travelled at public expense, in excess of:

(a) 200 miles for an ordinary seaman of the Regular Force under 17 years of age; or

(*b*) 500 miles for any other officer or man. (*2 Jun 55*)

(3) Calculation of milage between the officer's or man's place of duty and his home shall be made using:

(*a*) the railway competitive milage chart in respect of that portion of the journey served by railways; and

(*b*) for any other portion of the journey, actual milage by the most direct route.

(4) Subject to any limitations prescribed by the Chief of the Naval Staff:

(*a*) when authorized by the Senior Officer in Chief Command, "single personnel" as defined in article 205.40 (Northern Allowance—Rates and Conditions), who have been employed in a ship or establishment in "Northern Canada" as defined in article 205.40, for a period of not less than one year, shall be entitled, once in each leave year when proceeding on authorized leave, to transportation and accommodation at public expense to and from the nearest suitable rail centre, as prescribed by the Chief of the Naval Staff, at which trans-continental rail facilities are available; (*16 Jul 53*)

(*b*) in special circumstances, the Senior Officer in Chief Command may authorize transportation and accommodation in accordance with (*a*) of this paragraph, notwithstanding that the officer or man may not have served for a full year in such ship or establishment.

(G)

**209.51—TRANSPORTATION WHEN PROCEEDING ON COMPASSIONATE LEAVE**

When an officer or man, while serving outside Canada and the United States of America, is granted compassionate leave under article 16.17 (Compassionate Leave) by reason of:

(*a*) the dangerous illness of

(i) his wife or child, or

(ii) if he has no wife or child, his father or mother; or

(*b*) exceptional circumstances of extreme urgency requiring his presence in Canada;

the Chief of the Naval Staff may authorize transportation of that officer or man by air, at public expense, to the place in Canada at which his presence is required.

(G) (17 Sep 53)

**209.52—TRANSPORTATION ON SPECIAL LEAVE**

(1) For the purpose of this article:

(*a*) "home" shall have the meaning prescribed in article 209.50; and

(*b*) "theatre of operations" shall be as defined from time to time by the Minister.

**209.52—TRANSPORTATION ON SPECIAL LEAVE—(Cont'd)**

(2) An officer or man proceeding to his home on Special Leave granted under article 16.20 (Special Leave) shall be entitled to:

(*a*) prior to embarkation for, and after disembarkation from, service with a unit detailed for duty in a theatre of operations, transportation, accommodation and meals at public expense for that portion of the journey actually made in Canada or between Canadian points by the most direct route to his home and return to his place of duty;

(*b*) prior to embarkation for service with a unit detailed for duty outside of Canada and the continental United States of America including Alaska, other than as described in (a) of this paragraph, and as designated from time to time by the Minister, the benefits prescribed in article 209.50, provided he has not received these benefits within three months of the commencement of his period of Special Leave; and

(*c*) after disembarkation from service with a unit as described in (b) of this paragraph, transportation, accommodation and meals at public expense for that portion of the journey actually made in Canada or between Canadian points by the most direct route to his home and return to his place of duty.

(3) The provision of transportation, accommodation and meals granted under 2(a) and (c) of this article, or reimbursement of the cost thereof when provided by the officer or man, shall be made under this article as though the officer or man were travelling on duty. Reimbursement for incidental travelling expenses shall not be made.

(G) (1 Dec 52)

**(209.53 TO 209.59 INCLUSIVE: NOT ALLOCATED)**

## *Section 6—Entitlement at Time of Enrolment*

**209.60—DEFINITIONS**

For the purpose of this section, "ordinary place of residence" means the place at which a person ordinarily resided at the time of his application for enrolment in the navy or transfer to the Regular Force.

(G) (PC 1955-18/1167 of 16 Aug 55) (16 Aug 55)

## 209.61—APPLICANTS FOR ENROLMENT—REGULAR FORCE

(1) For the purpose of this article "applicant" means:

(*a*) a person who is not a member of any component of the Canadian Forces and who has applied for enrolment in the Regular Force; or

(*b*) a member of the reserve forces who is not performing Continuous Naval, Army or Air Force Duty, Special Duty, Naval Training, or Camp Training, and who has applied for transfer to the Regular Force.

(2) Subject to (6) of this article, an applicant who has been individually instructed over the signature of a recruiting officer to report for interview, and also where he has so reported but is subsequently rejected for any reason, shall, in respect of the journey from and to his ordinary place of residence, be entitled to transportation and travelling expenses (*see article 209.01—"Definitions"*) at the rates and under the conditions prescribed for:

(*a*) an acting sub-lieutenant, in the case of an applicant for enrolment as an officer; or

(*b*) an ordinary seaman, in the case of an applicant for enrolment as a man.

(3) An applicant who has been individually instructed over the signature of a recruiting officer to report for interview shall, for the period he is required to remain or attend at the place of interview, be provided with quarters and rations in kind, or if these are not available be entitled to:

(*a*) the travelling allowances prescribed in article 209.30 or 209.31, as applicable, for

(i) an acting sub-lieutenant, in the case of an applicant for enrolment as an officer, or

(ii) an ordinary seaman, in the case of an applicant for enrolment as a man;

(*b*) if he resides in the vicinity of the place of interview and has not been granted transportation under (2) of this article, Subsistence, Quarters or Ration Allowance as prescribed in article 205.01, as applicable, for

(i) an acting sub-lieutenant, in the case of an applicant for enrolment as an officer, or

(ii) an ordinary seaman, in the case of an applicant for enrolment as a man.

(4) When the estimated cost is less than that of maintaining him in accordance with (3) of this article, an applicant awaiting acceptance shall be returned to his ordinary place of residence and paid for the journey the benefits prescribed in (2) of this article.

(5) When an applicant who has reported to a recruiting centre has been found acceptable, but is required to return to his ordinary place of residence because his enrolment has been deferred for a definite period, he shall, in respect of the journey, be entitled to the benefits prescribed in (2) of this article.

(6) When the ordinary place of residence of an applicant is outside Canada, and he has been instructed to report for interview to a place within Canada, he shall not be entitled, except when authorized by the Minister, to reimbursement in respect of any portion of the journey which takes place outside Canada.

(7) When an applicant refuses to be enrolled, the entitlement prescribed by (3) of this

**209.61—APPLICANTS FOR ENROLMENT—REGULAR FORCE—(Cont'd)**

article shall cease as of the date of his refusal, and no transportation and travelling expenses shall be provided for his return journey.

(G) (PC 1955-18/1167 of 16 Aug 55) (16 Aug 55)

**209.62—APPLICANTS FOR ENROLMENT—RESERVES**

When an applicant for enrolment in the Reserves for aircrew training has been individually instructed over the signature of a recruiting officer to report for interview at a place other than his ordinary place of residence, he shall receive the benefits of article 209.61 as though he were an applicant for enrolment in the Regular Force.
(G) (PC 1955-18/1167 of 16 Aug 55) (16 Aug 55)

**209.63—LEAVE WITHOUT PAY AND ALLOWANCES ON ENROLMENT**

(1) Subject to (2) of this article, when an officer or man is, on enrolment, granted leave without pay and allowances he shall be entitled to the benefits prescribed in article 209.61 (1):

(*a*) for the journey from the recruiting centre to his ordinary place of residence; and

(*b*) if required to report at the expiration of that leave to the recruiting centre at which he was enrolled, for the journey from his ordinary place of residence to that recruiting centre.

(2) Subject to (3) of this article, if an officer or man granted leave without pay and allowances on enrolment is required to report on the expiration of that leave to a naval establishment other than the recruiting centre at which he was enrolled, he shall be entitled to transportation and travelling expenses (*see article 209.01—"Definitions"*) prescribed for his rank, for the journey from his ordinary place of residence to that naval establishment.

(3) Except when authorized by the Minister, an officer or man who has been enrolled at a place within Canada and is granted leave without pay and allowances on enrolment shall not be entitled to the benefits prescribed in this article for any portion of the journey which takes place outside Canada. (*10 Mar 53*)
(G)

**(209.64 to 209.69 INCLUSIVE: NOT ALLOCATED)**

***Section 7—Personnel on Release***

**209.70—TRANSPORTATION AND TRAVELLING ENTITLEMENTS ON RELEASE—REGULAR FORCE**

(1) The provisions of this article shall apply to an officer or man of the Regular Force who is transferred to the Reserves under article 10.04 (Voluntary Transfer to Reserves) or who is released under:

**209.70—TRANSPORTATION AND TRAVELLING ENTITLEMENTS ON RELEASE—REGULAR FORCE—(Cont'd)**

(*a*) item 2 (inefficiency); or

(*b*) item 3 (medically unfit); or

(*c*) item 4(c) (when time served will normally entitle applicant to pension under *The Defence Services Pension Act*); or

(*d*) item 4(g) (on completion of engagement where a man does not accept an offer of further service); or

(*e*) item 5 (compulsory retirement to promote economy or efficiency),

of the table to article 15.01 (Reasons for Release). (*See also article 209.72—"Transportation and Travelling Entitlements on Release for Misconduct—Regular Force".*)

(2) An officer or man to whom this article applies shall, subject to (3) and (5) of this article, be entitled to transportation and travelling expenses as if he were proceeding on duty:

(a) if he has less than 10 years' service and was enrolled in Canada,

(i) to the place in Canada which he specified as being his residence when he was enrolled in the Regular Force, or

(ii) when enrolment in the Regular Force is immediately subsequent to other continuous full-time service in any Service of the Canadian Forces, to the place in Canada which he specified as being his residence, either on the commencement of that service or on the commencement of any period of active service during that service, or

## 209.70—TRANSPORTATION AND TRAVELLING ENTITLEMENTS ON RELEASE—REGULAR FORCE—(Cont'd)

(iii) to any other place in Canada if the cost of the journey does not exceed that authorized in (a)(i) or (ii) of this paragraph; or

(*b*) if he has less than 10 years' service and was enrolled outside Canada,

(i) to the nearest port of embarkation in Canada on the direct route to the country in which he was enrolled, or

(ii) to any place in Canada if the cost of the journey does not exceed that authorized in (b)(i) of this paragraph; or

(*c*) if he has 10 or more years' continuous service in the Regular Force,

(i) to his intended place of residence in Canada, or

(ii) if he has chosen to reside outside Canada, to the port of embarkation or to the border point in Canada nearest to his intended place of residence.

(*24 Jun 54*)

(3) The benefits prescribed in (2) of this article shall not be granted to an officer or man unless they are exercised within one year of his release and shall be governed as to his chosen place of residence by an election in writing made by him. No consideration shall be given to any change in the destination so elected if it necessitates additional expenditure of public funds.

(4) The benefits of this article may be granted to an officer or man within a reasonable time before he proceeds on rehabilitation leave.

(5) For the purposes of (2)(c) of this article, a period of leave without pay granted under article 16.25 shall not be considered as interrupting continuity of service. (*24 Jun 54*)

(G) (PC 1954–19/623 of 24 Jun 54)

## 209.71—TRANSPORTATION AND TRAVELLING ENTITLEMENTS ON TERMINATION OF CONTINUOUS NAVAL DUTY—RESERVES

An officer or man of the Reserves on Continuous Naval Duty whose period of that duty is terminated for any reason, other than misconduct or at his own request, shall be entitled to transportation and travelling expenses (*see article 209.01—"Definitions"*) as if he were proceeding on duty:

(*a*) to the place at which he was located at the time his period of Continuous Naval Duty commenced; or

(*b*) to any other place, if the cost does not exceed the cost of the journey under (*a*) of this paragraph.

(G)

### 209.72—TRANSPORTATION AND TRAVELLING ENTITLEMENTS ON RELEASE FOR MISCONDUCT—REGULAR FORCE

(1) An officer or man of the Regular Force who is released under item 1(misconduct) of the table to article 15.01 (Reasons for Release) may be issued a transport warrant at public expense covering transportation at the least expensive rate by rail or ship and the necessary meal tickets for the journey to:

(*a*) if enrolled in Canada, the place in Canada which he specified as his residence on enrolment in the Regular Force, or

(*b*) if enrolled outside Canada, the nearest port of embarkation in Canada on the direct route to the country in which he was enrolled, or

(*c*) any place in Canada, when the cost of the journey does not exceed the cost of the journey under (a) or (b) of this paragraph.

(2) The benefits prescribed in (1) of this article shall be granted only when the officer or man applies within thirty days of his release from the Regular Force, or from incarceration, whichever is the later.

(G) (PC 1954–19/923 of 24 Jun 54) (24 Jun 54)

**(209.73 TO 209.79 INCLUSIVE: NOT ALLOCATED)**

***Section 8—Movement of Dependents, Furniture and Effects***

### 209.80—DEFINITIONS

For the purposes of this section:

(*a*) "place of duty" means the place at which an officer or man usually performs his normal naval duties;

(*b*) "dependent" means in respect of an officer or man

(i) his wife,

(ii) a daughter, step-daughter, or legally adopted daughter, of any age who is unmarried and is resident with and dependent upon him, or

(iii) a son, step-son, or legally adopted son, under twenty-one years of age, or of any age when prevented from earning a living by reason of mental or physical infirmity, and who is resident with and dependent upon him.

(G)

### 209.81—APPLICATION OF REGULATIONS

The provisions of this section shall apply to an officer or man of the:

(*a*) Regular Force; and

(*b*) Reserves on Continuous Naval Duty, in which case, entitlement shall, subject to the approval of the Chief of the Naval Staff in each case,

(i) commence at the place where the officer or man and his dependents, furniture and effects are located at the time his period of Continuous Naval Duty commenced, and

(ii) on termination of his period of Continuous Naval Duty, cease at the place described in (*b*)(i) of this article, or at any other place, if the cost of the journey to that place does not exceed the cost of the journey to the place described in (*b*)(i) of this article.

(G)

### 209.82—TRANSPORTATION OF DEPENDENTS

(1) Subject to (3) and (5) of this article, an officer or man shall be entitled to move his dependents at public expense:

**209.82—TRANSPORTATION OF DEPENDENTS—(Cont'd)**

(*a*) from one place of duty to another, when he is moved within Canada and the United States of America, other than temporarily; or

(*b*) from one place of duty to another, when he is moved from a place of duty within Canada and the United States of America to a place of duty outside Canada and the United States of America, if

(i) the move of the officer or man is for an anticipated period of one year or more, and

(ii) the officer or man will remain at his new place of duty for an anticipated period of six months or more after the arrival of his dependents; or

(*c*) from one place of duty to another, when he is moved from a place of duty outside Canada and the United States of America to a place of duty within Canada or the United States of America, if

(i) the dependents were moved at public expense to a place of duty outside Canada and the United States of America, or

(ii) the officer or man acquired the dependent while serving outside Canada and the United States of America, or

(iii) it is the first such move of the officer or man and he had the dependent at the time of his enrolment outside Canada and the United States of America; or *(10 Mar 53)*

(*d*) from one place of duty to another, when he is moved, other than temporarily, from a place of duty outside Canada and the United States of America to another place of duty outside Canada and the United States of America; or

(*e*) from his place of duty to a place of residence in Canada selected by him, when an emergency exists and, in the opinion of the Minister, it is necessary to evacuate dependents; or *(6 Jul 53)*

(*f*) from his place of duty to a place of residence in Canada as determined by the Minister when the dependents have been moved under (b) or (d) of this paragraph and, in the opinion of the Minister, they should be returned to Canada before the officer or man. *(23 Nov 54)*

(2) Subject to (3) of this article, when an officer or man is granted transportation and, when applicable, accommodation, under article 209.70 (Transportation and Travelling Entitlements on Release—Regular Force) or article 209.71 (Transportation and Travelling Entitlements on Termination of Continuous Naval Duty—Reserves), his dependents shall be entitled to transportation and, when applicable, accommodation, for the journey from the last place of duty to which he was moved other than temporarily to the place to which he is provided with transportation.

(3) When an officer or man is serving at a place of duty to which his dependents have not been moved at public expense and he becomes entitled to move them in accordance with (1) or (2) of this article, he shall, in lieu of the entitlement from his present place of duty, be entitled:

(*a*) to reimbursement of his actual costs incurred in moving to the new place of duty from

(i) the last place to which they were moved at public expense, or *(23 Nov 54)*

## 209.82—TRANSPORTATION OF DEPENDENTS—(Cont'd)

(ii) the place of duty at which he was serving when he acquired them, if they have never been moved at public expense,

subject to the amount of reimbursement not exceeding the cost which would have been borne by the public if the dependents had been moved by the most direct route through any intermediate places of duty to which he was entitled to move them at public expense; or

(*b*) If he had dependents at the time of enrolment and they have never been moved at public expense, to reimbursement of his actual costs incurred since enrolment in moving his dependents to the new place of duty, subject to the amount of reimbursement not exceeding the cost which would have been borne by the public if they had been moved by the most direct route from his first place of duty, through any intermediate places of duty to which he was entitled to move them at public expense.

(4) When an officer or man is authorized under article 209.25 (Use of Private Motor Cars and Private Motorcycles—for Personal Convenience) to use his private motor car or private motorcycle on being moved other than temporarily from one place of duty to another, or on release, he shall, if accompanied by any dependents to whom transportation by air, rail, bus or ship and accommodation at public expense would have been provided under this article, be entitled to reimbursement in an amount not exceeding the cost which would have been borne by the public had the dependents travelled by air, rail, bus or ship, as applicable.

(5) (*a*) Subject to any limitations which may be imposed in the entitlement to accommodation by any orders issued by the Chief of the Naval Staff, the transportation and accommodation to which a dependent is entitled shall be that prescribed for the officer or man proceeding on duty, except that a dependent who is an invalid may be granted, on the recommendation of a medical officer, such transportation and accommodation as is considered necessary.

(*b*) Before the dependents of an officer or man are moved to "Northern Canada" as defined in article 205.40 (Northern Allowance—Rates and Conditions), the dependents shall be examined by a medical officer or, when a medical officer is not available, by a civilian medical practitioner at public expense. If the examination indicates that it is undesirable for the dependents to proceed, the Senior Officer in Chief Command may prohibit their movement at public expense.

(6) When the Chief of the Naval Staff considers it desirable or in the public interest, he may prohibit the movement of dependents at public expense but may subsequently authorize their movement at public expense to the place of duty at which the officer or man is then serving other than temporarily.

(G)

## 209.825—TRANSPORTATION OF DEPENDENTS—MEDICAL CARE AND DENTAL TREATMENT

When the medical care prescribed in article 34.145 (Medical Care in Northern Canada—Dependents) or dental treatment prescribed in article 35.04 (Dental Treatment in Northern

## 209.825—TRANSPORTATION OF DEPENDENTS—MEDICAL CARE AND DENTAL TREATMENT—(Cont'd)

Canada—Dependents) for a dependent is not reasonably available in the locality where he is residing, the dependent may, with the approval of the Senior Officer in Chief Command, be given transportation and accommodation as prescribed in paragraph (5)(*a*) of article 209.82, to and from the place in Canada selected by the appropriate medical or dental authority, where necessary treatment is available.

(G) (14 Apr 54)

## 209.83—TRAVELLING EXPENSES OF DEPENDENTS

(1) When an officer or man is authorized under article 209.82 to move his dependents, he shall, with respect to the travelling expenses of his dependents during the journey, be entitled to:

(*a*) actual and reasonable expenses for lodgings and, except when meal tickets are issued in accordance with article 209.835, a meal allowance at the rates prescribed in the table to this article; and (*7 Oct 55*)

(*b*) incidental travelling expenses (*see Section* 4).

(2) When an officer or man is authorized under article 209.25 (Use of Private Motor Cars and Private Motorcycles—for Personal Convenience) to use his private motor car or private motorcycle on being moved, other than temporarily from one place of duty to another, or on release, he shall, if accompanied by any dependents to whom transportation by air, rail, bus or ship and accommodation at public expense would have been provided under article 209.82, be entitled, with respect to the travelling expenses of his dependents during the journey, to a meal allowance and incidental travelling expenses at the rates and for the period which would have been applicable had the journey been made by the normal method of transportation.

(G) (9 Jul 52)

TABLE TO ARTICLE 209.83

| Conditions | Breakfast | | Lunch | | Dinner | |
|---|---|---|---|---|---|---|
| | 6 years and over | Under 6 years | 6 years and over | Under 6 years | 6 years and over | Under 6 years |
| | $ | $ | $ | $ | $ | $ |
| When travelling by rail or ship | 1.80 | .90 | 2.40 | 1.20 | 2.75 | 1.40 |
| When travelling by other than rail or ship | 1.00 | .50 | 1.25 | .70 | 1.75 | .80 |

(G) (18 Dec 53)

## 209.835—MEAL TICKETS—DEPENDENTS

(1) When the dependents of an officer or man are provided with a transport warrant for a journey by rail they may, subject to any orders issued by the Chief of the Naval Staff, be provided with meal tickets for that journey.

**209.835—MEAL TICKETS—DEPENDENTS—(Cont'd)**

(2) The value of the meal tickets provided under (1) of this article shall be as prescribed by the Chief of the Naval Staff, but shall not exceed the rates authorized in the table to article 209.83.

(G) (PC 1955-10/1500 of 7 Oct 55) (NS 4980-15) (7 Oct 55)

**209.84—SHIPMENT OF FURNITURE AND EFFECTS**

(1) For the purpose of this article:

(*a*) "carload" means the contents of a standard 40 foot 6 inch railway box car;

(*b*) when the charges in respect of shipping furniture and effects are made by cubic capacity, 100 cubic feet shall be considered as the equivalent of 1,000 pounds.

(2) When the dependents of an officer or man are moved in accordance with paragraph (1)(*a*), (1)(*c*)(iii), (1)(*e*), (1)(*f*) or (2) of article 209.82, subject to (6) of this article, the public shall bear: *(23 Nov 54)*

(*a*) the cost of packing, crating, cartage, transportation to the new place, unpacking and uncrating of furniture and effects not exceeding one carload; and

(*b*) subject to any limitations prescribed by the Chief of the Naval Staff, the cost incurred for

(i) conversion of domestic electrical appliances to permit the operation of those appliances on the cycle or current that is in use at the place of duty to which the officer or man is moved,

(ii) disconnecting and connecting domestic appliances from or to installed services, and

(iii) conversion of gas appliances to permit the operation of those appliances with the type of gas obtainable at the place of duty to which the officer or man is moved.

(3) When the dependents of an officer or man are granted transportation from a place of duty within Canada or the United States of America to a place outside Canada and the United States of America, or when dependents are granted transportation but the Chief of the Naval Staff does not consider it to be desirable or in the public interest to ship the furniture and effects of an officer or man to his new place of duty, the officer or man shall be entitled only:

(*a*) to have the public bear the cost of

(i) packing, crating, cartage and transportation of his furniture and effects, not exceeding one carload, to the nearest place where appropriate storage facilities are available,

(ii) storage of his furniture and effects at owner's risk until they can be restored to him at the place of duty in Canada or the United States of America at which he is serving other than temporarily, and

(iii) packing, crating, transportation, cartage, unpacking and uncrating of his furniture and effects when they are restored to him in Canada or the United States of America at the place of duty at which he is serving other than temporarily; and

**209.84—SHIPMENT OF FURNITURE AND EFFECTS—(Cont'd)**

(*b*) to the benefits prescribed in (2) (*b*) of this article.

(4) When an officer or man without dependents is moved, other than temporarily, from one place of duty to another within Canada or the United States of America or, when he is granted transportation under article 209.70 (Transportation and Travelling Entitlements on Release—Regular Force) or article 209.71 (Transportation and Travelling Entitlements on Termination of Continuous Naval Duty—Reserves), he shall, subject to (6) of this article, be entitled to the benefits prescribed in (2) of this article, but not exceeding 4,000 pounds if an officer, and not exceeding 500 pounds if a man.

(5) When an officer or man without dependents is moved, other than temporarily, from one place of duty in Canada or the United States of America to another outside Canada and the United States of America, he shall be entitled in respect of his furniture and effects, within the limits prescribed in (4) of this article, to the benefits prescribed in (2) (*b*) and (3)(*a*) of this article.

(6) When an officer or man is serving at a place of duty to which his furniture and effects have not been moved at public expense and he becomes entitled to move them in accordance with (2) or (4) of this article, he shall, in lieu of the entitlement from his present place of duty, be entitled to the benefits prescribed in (2) or (4) of this article:

(*a*) in respect of his actual costs incurred in moving them to the new place of duty from

(i) the last place to which they were moved at public expense, or *(23 Nov 54)*

(ii) the place of duty at which he was serving when he acquired them, if they have never been moved at public expense,

subject to the amount of reimbursement not exceeding the cost which would have been borne by the public if the furniture and effects had been moved by the most direct route through any intermediate places of duty to which he was entitled to move them at public expense; or

(*b*) if he had furniture and effects upon enrolment and they have never been moved at public expense, in respect of his actual costs incurred since enrolment in moving his furniture and effects to the new place of duty, subject to the amount of reimbursement not exceeding the cost which would have been borne by the public if they had been moved by the most direct route from his first place of duty, through any intermediate places of duty to which he was entitled to move them at public expense.

(7) (*a*) Except as prescribed in (*b*) of this paragraph, when the shipment of furniture and effects is authorized in accordance with this article and the officer or man is able to obtain furnished but not unfurnished accommodation for himself and his dependents at his new place of duty, the Captain may authorize him to receive

(i) the benefits prescribed in (3)(*a*) and (2)(*b*) of this article, or

(ii) the benefits prescribed in (2) of this article and the necessary cost of cartage and storage at the new place of duty for a period not exceeding six months.

(*b*) Except as prescribed in (*c*) of this paragraph, storage charges shall not be paid under this paragraph when claims have also been made for Separated Family's Allowance for the same period, unless the officer or man is again moved to a place of duty

**209.84—SHIPMENT OF FURNITURE AND EFFECTS—(Cont'd)**

(i) to which his dependents, furniture and effects cannot be moved at public expense, or

(ii) at which he is unable to find appropriate accommodation for his family.

(*c*) The restriction prescribed in (*b*) of this paragraph shall not apply to an officer or man who is ordered to occupy single quarters or who is serving in a ship if the Captain certifies that the dependents are residing in furnished accommodation in the locality of the officer's or man's fleet establishment or the ship's port division.

(8) When an officer or man is appointed or drafted to a ship or establishment at which furnished married quarters are provided, the Senior Officer in Chief Command may authorize the storage of all or part of his furniture and effects at public expense at the nearest place at which adequate storage facilities are available. *(1 Sep 53)*

(9) When shipment or storage is authorized in accordance with this article, the Captain shall determine the most economical suitable method, at owner's risk, of shipment or storage. Reimbursement shall not exceed the costs which would have been incurred had the method determined by the Captain been employed.

(10) In no case shall any liability be assumed on behalf of the Crown for accident or damage in respect of shipment or storage in accordance with this article.

(G) (PC 1954—11/1792 of 23 Nov 54)

**209.845—MOVEMENT OF DEPENDENTS, FURNITURE AND EFFECTS—PERSONNEL RELEASED FOR MISCONDUCT—REGULAR FORCE**

When an officer or man of the Regular Force is released under item 1 (misconduct) of the table to article 15.01 (Reasons for Release):

(*a*) his dependents may be issued a transport warrant at public expense covering transportation and meal tickets at the rates and under the conditions prescribed

## 209.845—MOVEMENT OF DEPENDENTS, FURNITURE AND EFFECTS—PERSONEL RELEASED FOR MISCONDUCT—REGULAR FORCE —(Cont'd)

in article 209.72 (Transportation and Travelling Entitlements on Release for Misconduct—Regular Force); and

(*b*) the public may bear the cost of the benefits prescribed in (2)(*a*) of article 209.84 in respect of the shipment of his furniture and effects in the place authorized under article 209.72.

(G)

## 209.85—MOVING ALLOWANCE

A moving allowance of $35.00 shall be paid to an officer or man in respect of each move:

(*a*) authorized in accordance with article 209.82 (Transportation of Dependents); or

(*b*) when he is ordered to vacate married quarters and, as a consequence, moves his dependents, furniture and effects into private accommodation in the same vicinity.

(G)

## 209.86—ALLOWANCE FOR INTERIM LODGINGS AND MEALS

(1) Subject to the remainder of this article, dependents travelling in accordance with article 209.82 (Transportation of Dependents), and an officer or man in respect of any period during which he accompanies them, shall be entitled to an allowance calculated in accordance with (4) of this article for each day at the place of duty where the journey commences and for each day at the place of duty where the journey ends during which they are necessarily required, as a result of that journey, to obtain interim lodgings at their own expense, not exceeding:

(*a*) fourteen days in all, if authorized by the Captain;

(*b*) a further period of seven days, if authorized by the Senior Officer in Chief Command; and

(*c*) a further period of fourteen days, if authorized by the Chief of the Naval Staff.

(*5 Aug 53*)

(2) The allowance payable in accordance with (1) of this article shall, in the circumstances specified in paragraph (2) of article 209.82 (Transportation of Dependents), be paid only in respect of the period for which interim lodgings are required owing to unavoidable separation from furniture and effects. (*5 Aug 53*)

(3) The allowance payable in accordance with (1) of this article shall, in the circumstances specified in paragraph (3) of article 209.82 (Transportation of Dependents) be paid only in respect of the period at the end of the journey for which interim lodgings are obtained.

(4) The allowance payable in accordance with (1) of this article shall be equal to the rate prescribed in table "A" to article 209.30 (Travelling Allowances—Daily Rates and Conditions) in respect of the officer or man and one-half that rate in respect of each of his dependents, except that when the officer or man does not accompany his dependents, the

## 209.86—ALLOWANCE FOR INTERIM LODGING AND MEALS—(Cont'd)

full daily rate shall be payable for one dependent and one-half that rate for each dependent in excess of one. *(28 Oct 53)*

(5) Claims under this article shall be supported by receipts for interim lodgings.

(6) (*a*) The allowance payable under (1)(*a*) or (*b*) of this article shall be abated by the amount of Subsistence, Quarters, Ration or Separated Family's Allowances payable in respect of the same period.

(*b*) The allowance payable under (*1*)(*c*) of this article shall be abated by sixty per cent of the total amount of pay, Marriage Allowance and Subsistence Allowance payable in respect of the same period.

(G)

## 209.87—SHIPMENT OF PERSONAL BAGGAGE OF DEPENDENTS

(1) When an officer or man is authorized to move his dependents at public expense but is not authorized to move his furniture or effects at public expense, or when he is authorized to move his furniture and effects to or from Northern Canada, as defined in article 205.40 (Northern Allowance—Rates and Conditions), he shall, subject to (2) and (3) of this article, be entitled to shipment at public expense of dependents' personal baggage at express or excess baggage rates.

(2) The weight of personal baggage which may be shipped under (1) of this article shall not exceed:

(*a*) for a journey to or from a point outside of Canada and the United States of America, the difference between the weight conveyed free by the transportation company and 550 pounds for the wife and 350 pounds for each child; or

(*b*) for any other journey, the difference between 550 pounds and the weight conveyed free by the transportation company for one full rate fare.

(3) When the dependents of an officer or man are authorized to travel by air, the amount of baggage which may accompany the dependents by air shall be as provided in orders issued by the Chief of the Naval Staff, not exceeding the entitlement prescribed in (2) of this article.

(4) When dependents are authorized to travel under the provisions of article 209.875 and the conditions outlined in (1) of this article exist, shipment of personal baggage may be made within the limitations prescribed in (2) and (3) of this article.

(G) (7 Oct 53)

## 209.875—DEPENDENTS OF DECEASED PERSONNEL

(1) Subject to (4) and (5) of this article, when an officer or man while serving dies or is officially reported missing, his dependents shall be entitled to the benefits prescribed in (2) and (3) of this article in respect of the journey from their place of residence:

(*a*) to their intended place of residence in Canada; or

(*b*) if they are resident in Canada and have chosen to reside outside Canada, to the border point or port of embarkation in Canada nearest to their intended place of residence.

(2) In respect of the movement of dependents, the entitlement shall be:

**209.875—DEPENDENTS OF DECEASED PERSONNEL—(Cont'd)**

(*a*) transportation and accommodation of the class prescribed in article 209.22 (Classes of Transportation and Accommodation) for the rank of the deceased or missing officer or man;

(*b*) while en route, actual and reasonable expenses for lodging, a meal allowance and incidental travelling expenses at the rates and under the conditions prescribed in article 209.83 (Travelling Expenses of Dependents);

(*c*) an allowance for interim lodgings and meals (*see article 209.86*); and

(*d*) a moving allowance of $35.00.

(3) In respect of the movement of furniture and effects within Canada and the United States of America, dependents shall be entitled to reimbursement of the following charges, except that a dependent who has chosen to reside outside Canada shall not be eligible for reimbursement of expenses which accrued outside Canada:

(*a*) the cost of packing, crating, cartage, transportation, unpacking and uncrating of an amount not exceeding one carload;

(*b*) subject to any limitation prescribed by the Chief of the Naval Staff, the actual and necessary costs of

(i) conversion of domestic electrical appliances to permit the operation of those appliances on the cycle or current that is in use at the place to which the dependents are moved,

(ii) disconnecting and connecting domestic appliances to or from installed services, and

(iii) conversion of gas appliances to permit the operation of those appliances with the type of gas obtainable at the place to which the dependents are moved.

(4) The dependents of an officer or man who dies while serving shall be entitled to the benefits of this article only if claimed within one year from the date of death of the officer or man.

(5) (*a*) The dependents of an officer or man who is officially reported missing while serving shall be entitled to the benefits of this article only

(i) after a period of three months has elapsed from the date on which the officer or man was officially reported missing, and

(ii) if claimed within one year from the date on which presumption of death is promulgated.

(*b*) In exceptional circumstances, the Chief of the Naval Staff may waive the three-month waiting period prescribed in (*a*)(i) of this paragraph.

(6) Notwithstanding anything contained in this section, when the furniture and effects of an officer or man are in storage at public expense on the date he dies while serving, or if officially reported missing, the date on which presumption of death is promulgated, the public shall continue to bear the cost of storage until:

(*a*) the furniture and effects are moved in accordance with (3) of this article; or

(*b*) the expiration of nine months from the date of death or promulgation of presumption of death;

whichever is the earlier. (*1 Sep 51*)

(G) (17 Jul 53)

## 209.88—MOVEMENT OF FURNITURE AND EFFECTS WHEN ORDERED INTO OR OUT OF OR BETWEEN MARRIED QUARTERS

(1) When an officer or man is ordered to occupy or to vacate married quarters and, as a consequence, is ordered to vacate or move into private accommodation in that vicinity, he shall be entitled to reimbursement of the actual and necessary expenses incurred by reason of the movement of his furniture and effects:

(*a*) from where they are situated in the vicinity, to the married quarters which he is ordered to occupy; or

(*b*) from the married quarters he has been ordered to vacate, to his new residence or into storage in the same vicinity.

(2) When an officer or man is ordered to move from one married quarter to another in the same vicinity, he shall be entitled to have his furniture and effects moved at public expense from the one married quarter to the other.

(G)

## 209.885—REIMBURSEMENT WHEN DEPENDENTS MOVE IN ADVANCE OF THE OFFICER OR MAN

(1) Subject to the remainder of this article and to any limitations prescribed by the Chief of the Naval Staff, when an officer or man is entitled to move his dependents in accordance with article 209.82, and, if applicable, his furniture and effects in accordance with article 209.84, and his dependents are not residing with him, or his dependents, furniture and effects have preceded him to his new place of duty, he shall be entitled to:

(*a*) reimbursement of his actual costs incurred for transportation, accommodation and travelling expenses in moving his dependents to the new place of duty;

(*b*) an allowance for interim lodgings and meals (*see article 209.86*);

(*c*) a moving allowance of $35.00;

(*d*) reimbursement of his actual costs incurred for packing, crating, cartage, transportation to the new place of duty, unpacking and uncrating of furniture and effects;

(*e*) reimbursement of his actual costs incurred for

(i) conversion of domestic electrical appliances to permit the operation of those appliances on the cycle or current that is in use at the new place of duty,

(ii) disconnecting and connecting domestic appliances from or to installed services, and

(iii) conversion of gas appliances to permit the operation of those appliances with the type of gas obtainable at the new place of duty; and

(*f*) storage of furniture and effects in accordance with article 209.84.

(2) The amount of reimbursement made:

(*a*) under (1)(*a*) of this article shall not exceed the cost which would have been borne by the public if the dependents had been moved in accordance with article 209.82 at the time the officer or man is moved; and

**209.885—REIMBURSEMENT WHEN DEPENDENTS MOVE IN ADVANCE OF THE OFFICER OR MAN—(Cont'd)**

(*b*) under (1)(*d*) and (*e*) of this article shall not exceed the cost which would have been borne by the public if the furniture and effects had been moved in accordance with article 209.84 at the time the officer or man is moved.

(3) Entitlement to the allowance for interim lodgings and meals shall commence on the date the officer or man arrives at the new place of duty and shall be paid only in respect of the period at the end of the journey for which interim lodgings are obtained.

(4) Entitlement to storage at public expense shall commence on the date the officer or man departs from his former place of duty.

(G) (PC 1956–10/1276 of 27 Aug 56) (NS 4980–15) (1 Sep 51)

**209.89—TRANSPORTATION OF DEPENDENTS OF OFFICERS AND MEN OF THE ROYAL NAVY ON LOAN**

(1) With the approval of the Chief of the Naval Staff, the dependents of an officer or man of the Royal Navy who:

(*a*) is on loan to the Royal Canadian Navy for a period of one year or more; and

(*b*) will remain on loan for an anticipated period of six months after the arrival of his dependents;

may be granted transportation and travelling expenses as prescribed in (2) of this article for the journey from and to the places in the United Kingdom and Canada specified in article 209.05 (Transportation of Officers and Men of the Royal Navy on Loan to the Royal Canadian Navy).

(2) Subject to (1) of this article, the dependents may be granted:

(*a*) ocean passage of the class prescribed for the officer or man in article 209.22;

(*b*) rail transportation and accommodation prescribed for the officer or man in article 209.22;

(*c*) travelling expenses as prescribed in article 209.30;

(*d*) allowances for interim lodgings and meals as prescribed in article 209.86; and

(*e*) shipment of personal baggage as prescribed in article 209.87.

(3) An officer or man granted transportation for his dependents between the United Kingdom and Canada under this article shall be granted transportation for them in Canada during his period of loan as if he were a member of the Royal Canadian Navy.

(G)

## *Section 9—Freight and Express Shipments*

**(209.90: NOT ALLOCATED)**

**209.905—SHIPMENTS BY FREIGHT OR EXPRESS**

(1) When it is necessary to make shipments by freight or express, the Supply Officer shall arrange for the shipment to be made:

**209.905—SHIPMENT BY FREIGHT OR EXPRESS—(Cont'd)**

(*a*) when practicable, by the nearest Naval Supply Depot; or

(*b*) when shipment by a Naval Supply Depot is not practicable, by freight or express, either prepaid or collect. *(1 Nov 53)*

(2) Shipments by express shall be kept to a minimum and only resorted to for urgent shipments or in cases where express rates are less than freight rates.

(3) In order that advantage may be taken of the lower rates applicable to carload lots, substantial shipments by freight from the same point to the same destination shall, when practicable, be combined under one bill of lading.

(4) When loss or damage occurs to a shipment during transit, the consignee shall take action in accordance with the instructions contained in the Supply and Accounting Manual.

(C)

**(209.91: NOT ALLOCATED)**

**209.915—COMBINED FORM—BILL OF LADING AND TRANSPORT REQUISITION**

(1) A combined form bill of lading and transport requisition (form M.F.C. 2014 or 2014a) shall be issued to the transportation company concerned for all:

(*a*) outgoing prepaid freight shipments;

(*b*) outgoing prepaid express shipments by rail or air;

(*c*) outgoing prepaid highway transport shipments; and

(*d*) incoming collect shipments.

(2) The forms supplied by the transportation company concerned shall be used:

(*a*) for any type of outgoing collect shipment; or

(*b*) in a case where the combined form bill of lading and transport requisition is not available, when the shipment shall be forwarded either prepaid or collect.

(3) A person authorized to issue combined form bill of lading and transport requisitions shall be responsible that they are kept under lock and key when not in use in order to prevent their use by unauthorized persons.

(4) The persons authorized to issue combined form bill of lading and transport requisitions shall be designated in Naval General Orders.

(5) (*a*) Combined form bill of lading and transport requisitions shall be prepared and issued in accordance with the instructions contained in the Supply and Accounting Manual.

(*b*) A return of combined form bill of lading and transport requisitions issued shall be rendered weekly to Naval Headquarters in the manner prescribed in the Supply and Accounting Manual.

(*c*) A record of all incoming and outgoing freight or express shipments shall be maintained in each ship or naval establishment as prescribed in the Supply and Accounting Manual.

(C)

**(209.92 TO 209.99 INCLUSIVE: NOT ALLOCATED)**

CHAPTER 210

# MISCELLANEOUS ENTITLEMENTS, ALLOWANCES AND GRANTS

*(Refer carefully to article 1.02 (Definitions) when reading every regulation in this chapter.)*

## *Section 1—Compensation for Loss of or Damage to Personal Property*

### 210.01—CONDITIONS GOVERNING COMPENSATION

(1) For the purpose of this section, "compensation" means the money payable to an officer or man for the loss of or damage to any items of personal clothing or other articles.

(2) Compensation shall only be payable for articles which:

(*a*) are not issued as naval materiel;

(*b*) are necessary for the performance of the duties of the officer or man,

(i) as specifically listed in orders issued by the Chief of the Naval Staff, or

(ii) as determined personally by the Chief of the Naval Staff; and

(*c*) (i) are lost by total destruction, irreparable damage or through any other cause, or

(ii) are partially damaged.

(3) When articles which are issued as naval materiel are lost or damaged, and compensation would be payable if they were not so issued, those articles shall be replaced or repaired at public expense as prescribed by the Chief of the Naval Staff.

(4) Compensation shall be payable only when:

(*a*) the loss or damage was attributable to the claimant's service in the navy;

(*b*) in the case of loss, replacement is necessary for the proper performance of the claimant's duties;

(*c*) the loss or damage was unavoidable and was not caused as a result of

(i) the improper packing of articles, or

(ii) the articles being used or shipped in a manner, or left in a place, not authorized by proper authority;

(*d*) the loss or damage was promptly reported and the claimant has made every reasonable effort to recover any missing articles, having regard to any special circumstances, such as the physical condition of a wounded claimant, which would render delay unavoidable or recovery impossible;

(*e*) the officer or man has not received or is not entitled to receive full compensation under any policy of insurance;

(*f*) the articles in respect of which the claim is made were not in the possession of the claimant while he was on leave, other than sick leave;

## 210.01—CONDITIONS GOVERNING COMPENSATION—cont'd.

(*g*) the loss or damage did not occur during a period in which the claimant was illegally absent; and

(*h*) in the case of articles intentionally destroyed, authority existed for the destruction of the articles in order to

(i) prevent them from falling into the hands of the enemy, or

(ii) prevent the spreading of an infectious or contagious disease.

(G)

## 210.02—BASIS OF COMPENSATION

(1) The amount of compensation payable for lost or damaged articles shall be as approved by Naval Headquarters, but shall not exceed:

(*a*) in the case of articles listed in orders issued by the Chief of the Naval Staff, their authorized value as prescribed in such orders; or

(*b*) in the case of articles not so listed, their authorized value as determined personally by the Chief of the Naval Staff.

(2) Compensation under (1)(*a*) of this article shall not be payable for articles in excess of the quantity of each article prescribed in orders issued by the Chief of the Naval Staff.

(G)

## 210.03—CLAIMS FOR COMPENSATION

(1) Before compensation is payable, the officer or man concerned shall be required to submit a claim in the manner prescribed in any orders issued by the Chief of the Naval Staff. When submitting a claim, the claimant shall be required to provide:

(*a*) full particulars of the circumstances under which the loss or damage occurred;

(*b*) any evidence necessary to substantiate both the loss or damage and the fact that the loss or damage occurred in the circumstances set forth in the claim;

(*c*) evidence that the loss or damage was promptly reported and that every reasonable effort was made to recover missing articles;

(*d*) a written undertaking that he will if compensation is paid, comply with the provisions of articles 210.06 and 210.07, if applicable;

(*e*) details of insurance carried by him in respect of articles lost or damaged;

(*f*) particulars of any advance received under article 210.04; and

(*g*) a certificate by the Captain

(i) stating that he has investigated the claim and has found that in his opinion it is a claim authorized by these Regulations, and

(ii) in the case of articles partially damaged, stating the amount of compensation that should, in his opinion, be awarded.

**210.03—CLAIMS FOR COMPENSATION—(Cont'd)**

(2) Compensation shall be payable to the estate of a deceased officer or man when, prior to his death, he re-equipped himself with articles similar to those lost or damaged and incurred expense therefor.

(3) Claims for compensation, duly certified and supported by the required evidence, shall be forwarded to Naval Headquarters for approval or otherwise by the Chief of the Naval Staff or such officer as he may designate.

(G)

**210.04—ADVANCES PENDING SETTLEMENT OF CLAIMS**

(1) Prior to the approval of a claim for compensation for loss of or damage to articles necessary for the performance of the duties of the claimant, the claimant may, on the authority of the Captain, be granted a cash advance, equal to the amount of the claim, but not exceeding $250.00, for the purpose of re-equipping himself.

(2) Any advance made under this article shall be recovered at the time the claim is settled or disallowed.

(G)

**210.05—COMPENSATION IN SPECIAL CASES**

In the case of loss or damage for which compensation is not otherwise payable under these Regulations, the Minister may, notwithstanding anything contained in this Section, authorize the payment of such reasonable compensation as he considers appropriate having regard to the circumstances.

(G)

**210.06—RECOVERY OF ARTICLES FOR WHICH COMPENSATION PAID**

(1) When any lost article for which compensation has been paid is subsequently recovered, the claimant shall:

(*a*) retain the recovered article; and

(*b*) if the article is fit for further use, repay one-half of the amount paid to him as compensation in respect of that article.

(2) Any financial adjustments arising from (1) of this article shall be made in the manner prescribed by the Chief of the Naval staff.

(G)

**210.07—ASSIGNMENT OF LEGAL RIGHTS**

When loss or damage, for which compensation is payable under these Regulations, occurs in circumstances which would give to the claimant a right of action against a person who in any way contributed to the loss or damage, the claimant shall:

**210.07—ASSIGNMENT OF LEGAL RIGHTS—(Cont'd)**

(*a*) if he does not propose to exercise his right of action arising out of the circumstances, or if the cause of action relates solely to the loss or damage for which compensation is payable under these Regulations, sign whatever documents are necessary to assign to the Crown his right of action against that person; or

(*b*) in any other case in which he has proceeded to judgment or has accepted settlement on his claim, repay the Crown the amount he has received as compensation under these Regulations, but not exceeding the amount of the judgment or settlement, as the case may be.

(G)

**(210.08 TO 210.19 INCLUSIVE: NOT ALLOCATED)**

***Section 2—Funeral and Burial Expenses***

**210.20—FUNERALS—APPLICATION OF REGULATIONS**

(1) Subject to (3) of this article, the provisions of this section shall apply:

(*a*) to an officer or man of the Regular Force; and

(*b*) to an officer or man of the Reserves who dies

(i) when on duty, or

(ii) as a result of injury, disease or illness attributable to the performance of duty, or

(iii) as a result of injury, disease or illness not attributable to the performance of duty, while he is receiving treatment at public expense in accordance with article 210.72 (Disability Compensation—Reserves).

(2) (*a*) When an officer or man dies in Canada and any of the services described in this section are not available, the cost of equivalent services may, subject to (*b*) of this paragraph, be authorized at prevailing rates by the Captain.

(*b*) The cost to the public for the funeral and burial, including the cost of any equivalent services authorized under (*a*) of this paragraph, shall not exceed the cost which would have been incurred had the appropriate services described in this section been available.

(3) Unless the Minister, in special circumstances, otherwise directs, this section shall not apply to an officer or man who dies when on leave without pay and allowances, or when absent without authority for a period of more than twenty-one days.

(4) The Chief of the Naval Staff may, in case of urgency, authorize this section to be applicable, in whole or in part, for the burial of the remains of a deceased person whose identity cannot be definitely established but whose body can be identified as that of a member of the navy.

(5) The entitlements prescribed in this section for an officer or man of the Regular Force shall apply to a deceased holder of the Victoria Cross who is accorded a military funeral under the provisions of article 24.15 (Entitlement to Military Funerals).

(G) (PC 1956–16/1128 of 26 Jul 56) (NS 4160-10) (26 Jul 56)

## 210.21—GENERAL FUNERAL EXPENSES

(1) When an officer or man mentioned in article 210.20(1) dies in Canada, a funeral director may be paid, to cover the funeral expenses, amounts not exceeding the following:

(*a*) for the removal of the body from the place of death to the funeral home $5.00;

(*b*) for the embalming of the body ..... $20.00;

(*c*) for the casket, either cloth-covered or of surface oak, silk-lined, with an engraved name plate, six handles, a crucifix, if required, and a shell..... $80.00;

(*d*) for the use of a hearse when a Service vehicle is not provided ..... $15.00;

(*e*) for the use of two vehicles, when necessary, for mourners and pallbearers. $15.00;

(*f*) for two newspaper notices ..... $ 5.00; and

(*g*) for the service fee (including the use of a flag, funeral home, staff and facilities, documentation, etc.) ..... $35.00.

(2) When the burial takes place in a cemetery at a distance from the place of death and is not conducted by the funeral director who prepared the body for burial and furnished the casket, the funeral director who supervises the arrangements at the actual place of burial may be paid:

(*a*) a fee of $50.00; and

(*b*) the amounts prescribed in (1)(d), (e) or (f) of this article, if he provides those services and payment for them is not made to the funeral director who prepared the body for burial.

(G) (PC 1955–13/75 of 20 Jan 55) (1 Jan 55)

## 210.22—SPECIAL FUNERAL EXPENSES

(1) In addition to the expenses prescribed in article 210.21, the special funeral expenses prescribed in this article may be paid from public funds.

(2) When as a result of drowning, communicable disease or accidental death, special preparation of the body is required, an amount not exceeding $15.00 may, with the authority of the Captain, be paid to the funeral director who prepares the body for burial.

(3) When the services of a chaplain are not available and a civilian clergyman officiates at the funeral, he may be paid an amount not exceeding $15.00 towards his expenses.

(4) When the death of an officer or man occurs in Canada or the United States of America and, at the request of the next of kin, burial is made at a place either in Canada or the United States of America other than where death occurred, the actual cost of transportation of the body from the place of death to the place of burial may be paid.

(5) A metal-lined, hermetically sealed coffin may be provided at local prevailing rates when:

(*a*) required by provincial or other laws regarding burial; or

(*b*) the Medical Officer, or in his absence the Captain, certifies that the condition of the remains warrants this type of coffin.

## 210.23—CEMETERY PLOTS

(1) (*a*) The burial of a deceased officer or man shall, whenever possible, be made in a plot administered by the Government of Canada.

(*b*) When the burial cannot be made as described in (*a*) of this paragraph, a permanent single grave, preferably in a cemetery the management of which permits the erection of the official headstone, may be purchased at the rate prevailing at the cemetery in which burial is made.

(2) When a plot administered by the Government of Canada is available, but at the request of the next of kin burial is made in a private plot, the Captain may authorize, towards the cost of such plot, an expenditure from public funds not exceeding the cost of burial in a plot administered by the Government of Canada.

(3) The cost of opening and closing the grave may, when necessary, be paid at prevailing rates.

(4) When the burial takes place in a plot administered by the Government of Canada, the plot shall be maintained at public expense.

(5) When burial takes place in a grave obtained under (1)(*b*) of this article, the Chief of the Naval Staff may authorize an expenditure from public funds for the purchase of perpetual care of the grave.

(G) (PC 1955–8/160 of 9 Feb 55) (9 Feb 55)

## 210.24—CREMATION

(1) Subject to (2) of this article, when cremation of the remains of a deceased officer or man is requested by the next of kin, the cost of cremation may be paid from public funds.

(2) The amount payable under (1) of this article shall not exceed the amount which would have been incurred had the remains been buried as otherwise provided in this section, excluding the cost of a headstone.

(G) (PC 1955–8/160 of 9 Feb 55) (9 Feb 55)

## 210.245—BURIAL OR SCATTERING OF ASHES AT SEA

(1) Subject to (2) and (3) of this article the cost of:

(*a*) burial at sea of the remains of a deceased officer or man; or

(*b*) scattering at sea of the ashes of a deceased officer or man cremated in accordance with article 210.24;

may be paid from public funds.

(2) The amount payable under (1)(*a*) of this article shall not exceed the amount which would have been incurred had the remains been buried as otherwise provided in this section, excluding the cost of a headstone.

(3) The total amount payable under (1) of article 210.24 and (1)(*b*) of this article shall not exceed the amount which would have been incurred had the remains been buried as otherwise provided in this section, excluding the cost of a headstone.

(G) (PC 1955–8/160 of 9 Feb 55) (9 Feb 55)

## 210.25—FUNERALS AND BURIALS OUTSIDE CANADA

When the death or burial of an officer or man takes place outside Canada and any of the services described in this section, or equivalent services, are performed outside Canada, payment of the cost thereof may, at the discretion of the senior officer present, be authorized from public funds at the rate prevailing in the locality in which death or burial takes place.

(G)

## 210.26—WHEN FUNERAL ARRANGEMENTS MADE BY RELATIVES

(1) When arrangements for the funeral and burial of a deceased officer or man are made by a person entitled to the custody of the body, an amount not exceeding the amount prescribed in this section for the services rendered may be paid to that person in respect of expenses incurred by him for the funeral and burial.

(2) If the relatives of a deceased officer or man desire to make more costly funeral arrangements than are provided for in this section, the additional cost incurred shall not be payable from public funds.

(3) Any payment authorized under this article shall be made on submission of vouchers, not necessarily receipted but certified by the undertaker, covering the expenses incurred.

(G)

## 210.27—PROVISION OF HEADSTONES OR MEMORIALS

(1) When an officer or man dies, an official headstone may be provided and erected at public expense if the burial takes place in a cemetery in which the erection of such headstone is permitted.

(2) An amount not exceeding the cost of the provision and erection of the official headstone may be paid toward the provision and erection of a plaque, headstone, or other memorial at public expense when:

(*a*) the erection of an official headstone is
- (i) not permitted, or
- (ii) not desired by the next of kin; or

(*b*) the body is
- (i) buried at sea, or
- (ii) cremated, or
- (iii) not recovered.

(3) When a headstone is provided under (1) of this article, it shall be maintained at public expense.

(4) When a headstone, plaque or memorial provided under this article is destroyed under circumstances which, in the opinion of the Minister, warrant its being replaced at public expense, the Minister may authorize replacement.

(G) (PC 1955–8/160 of 9 Feb 55) ( 9 Feb 55)

**(210.28 AND 210.29: NOT ALLOCATED)**

*Section 3—Grants and Advances*

## 210.30—GRANTS TO REFERENCE LIBRARIES

(1) Grants for the purpose of establishing and maintaining a reference library, which is established with the approval of the Chief of the Naval Staff, shall be payable:

(*a*) at the rates prescribed in the table to this article; and

(*b*) in accordance with any orders issued by the Chief of the Naval Staff.

(2) The initial and annual maintenance grants prescribed in this article shall be used only for the purchase and maintenance of books, periodicals, and documents, for reference purposes.

(3) The annual maintenance grant for the fiscal year in which a reference library is established shall be one-twelfth of the annual maintenance grant prescribed in the table to this article for each complete month remaining in that fiscal year.

(4) The grants prescribed in the table to this article for a staff college library shall be reduced, in the case of a joint staff college operated:

(*a*) by two services, to one-half; or

(*b*) by three services, to one-third.

(G)

TABLE TO ARTICLE 210.30

| Class of Library | Amount of | |
|---|---|---|
| | Initial Grant | Annual Maintenance Grant |
| | $ | $ |
| Command Library | 450.00 | 300.00 |
| Staff College Library | 900.00 | 600.00 |
| Canadian Services College Library (when administered by the Navy) | ..... | 600.00 |
| Schools, R.C.N. Barracks and training establishments | 150.00 | 100.00 |
| Library established in<br>(i) a cruiser or above, or<br>(ii) a Naval Air Station | 150.00 | 100.00 |

(G) (28 Aug 53)

## 210.31—GRANTS TO READING ROOMS AND LIBRARIES—REGULAR FORCE

An annual grant of $35.00 shall be payable:

(*a*) towards the cost of maintaining reading rooms and libraries, except reference libraries, in a ship or naval establishment other than a naval division, established with the approval of the Senior Officer in Chief Command for the use of men;

(*b*) in accordance with any orders issued by the Chief of the Naval Staff.

(G)

## 210.315—GRANTS TO RECREATIONAL LIBRARIES

(1) Subject to (2) and (3) of this article, grants for the purpose of establishing and maintaining a recreational library, established in a ship or in a command to distribute circulating libraries to smaller ships, with the approval of the Chief of the Naval Staff, shall be paid at the rates prescribed in the table to this article.

(2) (*a*) Payment of the initial grant shall be made on receipt of approval to establish the library.

(*b*) For the fiscal year in which a recreational library is established, the annual maintenance grant shall be one twelfth of the amount prescribed in the table to this article for each complete month remaining in that fiscal year.

(*c*) Expenditures from the grants to a recreational library shall be limited to those authorized by the Chief of the Naval Staff.

(3) The grant shall be paid into a fund on behalf of each ship or command library to be administered by such officers as are designated by the Chief of the Naval Staff.

(4) Accounting instructions shall be as prescribed in the Supply and Accounting Manual.

(G)

## 210.315—GRANTS TO RECREATIONAL LIBRARIES

(1) Subject to (2) and (3) of this article, grants for the purpose of establishing and maintaining a recreational library, established in a ship or in a command to distribute circulating libraries to smaller ships, with the approval of the Chief of the Naval Staff, shall be paid at the rates prescribed in the table to this article.

(2) (*a*) Payment of the initial grant shall be made on receipt of approval to establish the library.

(*b*) For the fiscal year in which a recreational library is established, the annual maintenance grant shall be one twelfth of the amount prescribed in the table to this article for each complete month remaining in that fiscal year.

(*c*) Expenditures from the grants to a recreational library shall be limited to those authorized by the Chief of the Naval Staff.

(3) The grant shall be paid into a fund on behalf of each ship or command library to be administered by such officers as are designated by the Chief of the Naval Staff.

(4) Accounting instructions shall be as prescribed in the Supply and Accounting Manual

(G)

TABLE TO ARTICLE 210.315

| — | Amount of | |
|---|---|---|
| | Initial Grant | Annual Maintenance Grant |
| | $ | $ |
| (*a*) Ship with authorized complement of | | |
| (i) over 600 | 2,100.00 | 672.00 |
| (ii) 301-600 | 1,575.00 | 504.00 |
| (iii) 151-300 | 1,050.00 | 336.00 |
| (iv) 75-150 | 525.00 | 168.00 |
| (*b*) Command Pool library | 1,575.00 | 504.00 |

(G)

## (210.32: RESERVED—ARMY)

## 210.33—GRANTS TO BANDS—REGULAR FORCE

An annual grant towards the cost of maintaining an authorized band of the Regular Force may be payable:

(*a*) in an amount determined by the Chief of the Naval Staff but not exceeding the amount prescribed for the size of the band in the table to this article;

(*b*) for the purchase of music, minor repair and maintenance of instruments, and other miscellaneous expenses; and

(*c*) in accordance with any orders issued by the Chief of the Naval Staff.

(G)

## 210.33—GRANTS TO BANDS—REGULAR FORCE—(Cont'd)

TABLE TO ARTICLE 210.33

| Authorized Size | Amount |
|---|---|
| | $ |
| Not exceeding 35 pieces | 700.00 |
| Exceeding 35 pieces | 910.00 |

(G) (PC 1954-11/766 of 27 May 54) (1 Apr 53)

## 210.34—GRANTS TO BANDS—RESERVES

(1) An annual grant towards the cost of maintaining an authorized band of the Reserves may be payable:

(*a*) in an amount determined by the Chief of the Naval Staff but not exceeding the amount prescribed for the size of the band in the table to this article;

(*b*) for the purchase of music, minor repair and maintenance of instruments, and other miscellaneous expenses; and

(*c*) in accordance with any orders issued by the Chief of the Naval Staff.

(2) (*Reserved—Army*)

(G)

TABLE TO ARTICLE 210.34

| Authorized Size | Amount |
|---|---|
| | $ |
| Not exceeding 15 pieces | 210.00 |
| Exceeding 15 but not exceeding 20 pieces | 280.00 |
| Exceeding 20 but not exceeding 25 pieces | 350.00 |
| Exceeding 25 pieces | 420.00 |

(G) (PC 1954–11/766 of 27 May 54) (1 Apr 53)

## (210.345 AND 210.346: RESERVED—ARMY)

## 210.35—GRANTS FOR PRIVATE PILOT'S TRAINING—RESERVES

(1) Subject to (2) of this article, an officer who, on enrolment in or transfer to the Reserves holds valid pilot's qualifications as prescribed by the Chief of the Naval Staff, shall be paid a grant equivalent to the amount which he has expended in training for and obtaining those qualifications.

(2) The grant prescribed in (1) of this article shall not:

(*a*) in any case, exceed $200.00;

(*b*) be payable until the officer has qualified to "wings standard"; and

(*c*) be payable to an officer who has previously received training in any of Her Majesty's Forces to the standard of qualification required under (1) of this article.

(3) Claims for the grant shall be supported by vouchers as evidence that the amount claimed has been properly expended. Any amount which the Chief of the Naval Staff considers to be improper shall not be paid.

(G)

## 210.354—GRANTS FOR FOREIGN LANGUAGE TRAINING—REGULAR FORCE

Subject to any limitations prescribed by the Minister, an officer or man of the Regular Force who successfully passes a qualification or annual requalification examination in the Russian language shall be entitled to receive a grant in accordance with the table to this article.

(G) (PC1956–12/1216 of 9 Aug 56) (NS 4900-23) (9 Aug 56)

## 210.354—GRANTS FOR FOREIGN LANGUAGE TRAINING—REGULAR FORCE —(Cont'd)

TABLE TO ARTICLE 210.354

| | |
|---|---|
| Upon qualification as Linguist, 1st class | $250.00 |
| Upon annual requalification thereafter, 1st class | 100.00 |
| Upon qualification as Linguist, 2nd class | 150.00 |
| Upon annual requalification thereafter, 2nd class | 50.00 |

(G) (PC 1956–12/1216 of 9 Aug 56) (NS 4900-23) (9 Aug 56)

## 210.355—GRANTS FOR FOREIGN LANGUAGE TRAINING—RESERVES

Subject to any limitations prescribed by the Chief of the Naval Staff an officer or man of the Reserves, who successfully passes an annual proficiency examination in a foreign language, shall be entitled to receive a grant in accordance with the table to this article.

(G)

TABLE TO ARTICLE 210.355

| | |
|---|---|
| Upon successful completion of 1st year of study | $150.00 |
| Upon successful completion of 2nd year of study | 200.00 |
| Upon successful completion of 3rd year of study | 250.00 |
| Upon annual re-qualification thereafter | 100.00 |

(G)

## 210.36—GRANTS TO SHIPS' FIGHTING EFFICIENCY FUNDS

(1) In a ship in full commission and a naval air station, a grant at the annual rate prescribed in the table to this article may be paid quarterly in advance into a fund designated the "Ship's Fighting Efficiency Fund".

(2) (*a*) With the prior approval of the Captain, payment from the ship's Fighting Efficiency Fund may be made on behalf of any department in the ship or air station for

(i) any minor fittings, devices or equipment, not included in the usual outfit of ships or air stations, which tend to promote general efficiency, and

(ii) entrance fees to official small arms competitions.

(*b*) No portion of the fund shall be expended on prize money or emoluments to persons in the navy.

(3) Payment of the grant shall be made in the manner prescribed by the Chief of the Naval Staff.

(G)

TABLE TO ARTICLE 210.36

| Class of ship or Station | Annual Grant |
|---|---|
| | $ |
| Aircraft Carriers | 210.00 |
| Cruisers | 180.00 |
| Naval Air Stations | 180.00 |
| Destroyers, Destroyer Escorts and Arctic Patrol Vessels (ice-breakers) | 120.00 |
| Auxiliary Cruisers and Depot Ships | 65.00 |
| Frigates and Coastal Escorts | 40.00 |
| Armed tenders, armed yachts, minesweepers and other armed vessels | 20.00 |

(G) (PC 1954–23/733 of 20 May 54) (20 May 54)

(210.37: NOT ALLOCATED)

## 210.38—RECOVERABLE ADVANCES TO OFFICERS' MESSES, CHIEF AND PETTY OFFICERS' MESSES AND MEN'S CANTEENS

(1) For the purpose of assisting in the establishment of an officers' mess, chief petty officers' or petty officers' mess or men's canteen, and subject to any orders issued by the Chief of the Naval Staff, a recoverable advance of public funds may be made at the rates and under the conditions prescribed in this article.

(2) An advance may be made:

(*a*) to an officers' mess at a rate not exceeding $30.00 for each officer allowed in complement;

(*b*) (i) to a chief petty officers' mess at a rate not exceeding $20.00 for each man of the rank of chief petty officer second class and above allowed in complement,

(ii) to a petty officers' mess at a rate not exceeding $20.00 for each man of the rank of petty officer first class and petty officer second class allowed in complement, or

(iii) to a combined chief petty officers' and petty officers' mess at a rate not exceeding $20.00 for each man of the rank of petty officer second class and above allowed in complement; and

(*c*) to a canteen at a rate not exceeding $20.00 for each man of the rank of leading seaman and below allowed in complement.

(3) Repayment of an advance:

(*a*) to an officers' mess shall be made within one year, but no repayment need be made during the first six months of that period; and

(*b*) to a chief petty officers' or petty officers' mess or men's canteen shall be made within eighteen months, but no repayment need be made during the first twelve months of that period.

(4) When a ship or establishment is paid off, any unrefunded portion of an advance authorized under this article shall be repaid immediately.

(5) When public funds are advanced to a mess or canteen, the stock of commodities shall be insured; when Canada is at war, however, war risk insurance is not required.

(G) (2 Apr 53)

(210.39: NOT ALLOCATED)

## 210.395—REHABILITATION GRANT

(1) For the purposes of this article:

(*a*) "service in a theatre of operations" means service of a member of the Canadian Forces beyond Canada and the continental United States of America including Alaska, to participate in military operations undertaken by the United Nations to restore peace in the Republic of Korea, but shall not include any period

**210.395—REHABILITATION GRANT—(Cont'd)**

(i) of absence without leave or of desertion, or

(ii) of leave without pay and allowances, or

(iii) in respect of which a forfeiture has been imposed; and

(*b*) "Special Force" means the Royal Canadian Navy Special Force, the Canadian Army Special Force and the Royal Canadian Air Force Special Force as constituted from time to time by the Minister.

(2) Except as provided in (3) of this article, an officer or man shall be paid a Rehabilitation Grant of one month's pay and one month's Marriage Allowance at the rates in issue to him at the time of the termination of his employment or release, as applicable, when:

(*a*) his employment with the Regular Force is terminated, if he is a member of the Reserves and has performed not less than 183 days in a theatre of operations on the strength of the Special Force; or

(*b*) he has served in a theatre of operations on the strength of the Special Force and is released under item 3 (on medical grounds, being disabled or incapable of performing his duties as a member of the forces) of the table to article 15.01 (Reasons for Release) as a result of service in a theatre of operations.

(3) A Rehabilitation Grant shall not be paid to an officer or man:

(*a*) who is released

(i) by reason of a sentence of a service tribunal, or

(ii) as a result of a conviction by the civil power; or

(*b*) whose employment is terminated for the purpose of immediate enrolment in the Regular Force of the Royal Canadian Navy, or the Canadian Army Active Force or the Regular Force of the Royal Canadian Air Force.

(4) The amount of any debit balance in the pay account of an officer or man shall not be recovered from his Rehabilitation Grant.

(G) (1 Jan 51)

## *Section 4—Reserve Allowances*

**210.40—RESERVE ALLOWANCES—GENERAL CONDITIONS**

The allowances authorized in this section:

(*a*) shall not be deemed to be the personal emoluments of the officers receiving such allowances but shall be paid into the funds of the ship or naval establishment concerned; and

(*b*) shall be used for the purposes specified in this section in accordance with any orders issued by the Chief of the Naval Staff.

(G)

**(210.41: RESERVED—ARMY AND AIR FORCE)**

## 210.42—ALLOWANCE TO NAVAL DIVISIONS

(1) The Chief of the Naval Staff may authorize the payment of a quarterly allowance to a Naval Division calculated at the rates prescribed in the table to this article in respect of:

(*a*) the number of officers and men of the Royal Canadian Navy (Reserve) borne on the Active List of the Naval Division on the last day of the preceding quarter subject to the total numbers allowed by authorized complement not being exceeded; and

(*b*) the number of naval cadets of the Regular Force to whom the Regular Officer Training Plan applies who are borne on the books of the naval division.

(*1 Oct 54*)

(2) Expenditures from the quarterly allowance prescribed in this article shall be limited to those authorized by the Chief of the Naval Staff.

(G)

TABLE TO ARTICLE 210.42

| Rate for each officer and man | | Amount |
|---|---|---|
| Over | Up to and including | |
| | | $ |
| ..... | 400 | 1.00 |
| 400 | 600 | 0.80 |
| 600 | 800 | 0.70 |
| 800 | 1,000 | 0.65 |
| 1,000 | 1,200 | 0.60 |
| 1,200 | 1,400 | 0.55 |
| 1,400 | ..... | 0.50 |

(G)

**(210.43: NOT ALLOCATED)**

**(210.44: RESERVED—ARMY)**

**(210.45 AND 210.46: NOT ALLOCATED)**

## 210.47—CLERICAL ASSISTANCE ALLOWANCE—UNIVERSITY NAVAL TRAINING DIVISIONS

(1) Subject to (2) of this article, a commanding officer of a University Naval Training Division may be reimbursed the amount expended for the employment of clerical assistance at his unit.

(2) Clerical Assistance Allowance shall be payable, at the rate prescribed in the table to this article, for each week of the academic year or for a period of thirty-two weeks, whichever is the lesser. Any unexpended balance of the maximum entitlement shall not be carried over from one fiscal year to another.

(G) (24 Oct 52)

TABLE TO ARTICLE 210.47

| Division Strength | Rate per Week |
|---|---|
| For the first 100 members or less | $10.00 |
| For each additional 50 members or less | 5.00 |

(G) (24 Oct 52)

(210.48 AND 210.49 INCLUSIVE: NOT ALLOCATED)

*Section 5—Professional Fees and Expenses—Reserves*

## 210.50—EMPLOYMENT OF MEDICAL OFFICERS—RESERVES

(1) When the Chief of the Naval Staff or the Senior Officer in Chief Command certifies that medical facilities are not available through the medical services of:

(*a*) the Royal Canadian Navy (Regular Force);

(*b*) the Canadian Army (Regular);

(*c*) the Royal Canadian Air Force (Regular Force);

(*d*) the Department of Veterans Affairs;

(*e*) the Department of National Health and Welfare; or

(*f*) other departments or agencies of the Government of Canada operating a full-time medical service;

he may authorize the employment of a medical officer of the Reserves of any Service of the Canadian Forces, other than one who is performing Continuous Naval, Army or Air Force Duty, Naval Training, Camp Training or Special Duty.

(2) A medical officer who is employed under (1) of this article shall be paid:

(*a*) when employed by the day

(i) a fee for each day he is employed equal to the daily basic rate of pay and allowances at the rates and under the conditions prescribed in these Regulations for an officer of equivalent rank in the Regular Force, but excluding Marriage Allowance, and

(ii) transportation and travelling expenses at the rates and under the conditions prescribed in these Regulations for an officer of equivalent rank in the Regular Force, for which purpose the officer's home shall be deemed to be his permanent place of duty;

(*b*) when employed for individual examinations, treatments or consultations, a fee

(i) of $5.00 for the medical examination of an applicant for enrolment in the navy, or

(ii) of $10.00 for the medical examination of an applicant for enrolment in the navy when it is necessary to determine his fitness for aircrew category and aircrew duties, or

(iii) of $3.00 for a medical re-examination for aircrew fitness, or

(iv) for other examinations, treatments or consultations, at the rate authorized from time to time for that type of examination, treatment or consultation when made in respect of persons under the care of the Department of Veterans Affairs.

(3) For any period during which a medical officer is employed under the provisions of this article, he shall not be entitled to any financial benefits under these Regulations except as prescribed in this article.

(G)

## 210.51—CHAPLAINS AND OFFICIATING CLERGYMEN—RESERVES

(1) A chaplain of the reserve forces who is provided as an officiating clergyman under article 33.02 (Provision of Chaplains and Officiating Clergymen) to minister to officers and men of the Regular Force shall, for each day he is so employed, be entitled to:

(*a*) pay at the basic rate prescribed for the rank of lieutenant in the table to article 204.21;

(*b*) Subsistence Allowance at the rate prescribed for the rank of lieutenant in column "A" of the table to article 205.01; and

(*c*) subject to the approval of the Senior Officer in Chief Command, reimbursement of his actual and necessary travelling expenses.

(2) When a chaplain has been appointed to a naval division and an officiating clergyman is required for any reason to perform the chaplain's duties, the number of days' pay issuable for Naval Training and Divisional Drills in any one year in respect of their combined duties in the same appointment shall not exceed the number of days for which pay may be issued pursuant to article 204.05 (Restriction of Pay—Naval Training and Divisional Drills).

(3) Notwithstanding article 204.04 (Pay—Divisional Drills), for each day on which a chaplain or officiating clergyman conducts divine worship at a naval division, he shall be entitled to pay for a full day.

(G) (PC 1954-12/1307 of 8 Sep 54) (8 Sep 54)

**(210.52 TO 210.59 INCLUSIVE: NOT ALLOCATED)**

### *Section 6—Professional Fees and Expenses—Civilians*

## 210.60—CIVILIAN WITNESSES—FEES AND EXPENSES

(1) A civilian witness who, for the purpose of giving evidence, is required to attend and does attend a service tribunal, board of inquiry, the taking of a summary of evidence or the taking of evidence by a commissioner under *The National Defence Act*, shall be paid:

(*a*) for every day of attendance
- (i) as an ordinary witness, a fee of $2.00, or
- (ii) as an expert witness, a fee of $5.00; and

(*b*) in the case of a civilian witness who resides more than three miles from the place where his attendance is required,
- (i) subject to (2) of this article, reimbursement for his actual and reasonable travelling expenses at a rate not exceeding ten cents per mile each way, and
- (ii) reimbursement for his actual and reasonable out-of-pocket expenses for meals and accommodation at a rate not exceeding $6.00 per day.

(*26 Apr 52*)

(2) In lieu of the cash payment for travelling expenses prescribed in (1)(*b*)(i) of this article, a transport warrant shall, when practicable, be issued to a civilian witness covering transportation and accommodation of a class considered appropriate by the officer authorized to summon the witness.

(3) The fees and expenses prescribed in this article shall be payable in accordance with orders issued by the Chief of the Naval Staff.

## 210.605—CIVILIAN WITNESSES—PAYMENT OF FEES AND EXPENSES

(1) (*a*) The fees and expenses prescribed for civilian witnesses in article 210.60 shall be paid, subject to (*b*) of this paragraph, only upon the certification of the president that

(i) the witness was required to attend and did attend for the purpose of giving evidence, and

(ii) in his opinion, the claim is correct.

(*b*) When the president of a court-martial or board of inquiry refuses to certify a claim for payment of a civilian witness in accordance with this article, the claim may be referred to the convening authority for certification and authorization of payment.

(2) (*a*) Subject to (*b*) of this paragraph, when it appears that a civilian witness is or may be unable or unwilling to attend without first receiving payment, an advance may be authorized by

(i) in the case of a court-martial, the officer authorized to summon the witness, or

(ii) in the case of a board of inquiry, the president.

(*b*) Payment of the advance shall be made only after the authorizing officer has certified that

(i) the attendance of the witness is required,

(ii) it appears that the witness is or may be unable or unwilling to attend unless the advance is made, and

(iii) in his opinion, the amount of the advance is reasonable and necessary to secure the attendance of the witness and is in accordance with article 210.60.

(*c*) The advance shall be made to the officer detailed to secure the attendance of the witness. He shall pay or tender the advance to the witness and, in respect of the amount paid, submit a claim supported by an affidavit that he has

(i) in the case of a court-martial, served the summons, or

(ii) in the case of a board of inquiry, notified the witness that his attendance is requested.

(C)

## 210.61—CIVILIAN MEDICAL PRACTITIONERS AND REGISTERED NURSES—FEES AND EXPENSES

(1) When the Chief of the Naval Staff or the Senior Officer in Chief Command certifies that medical or nursing facilities, as applicable, are not available through the medical services of:

(*a*) the Royal Canadian Navy (Regular Force);

(*b*) the Canadian Army (Regular);

(*c*) the Royal Canadian Air Force (Regular Force);

(*d*) the Department of Veterans Affairs;

(*e*) the Department of National Health and Welfare; or

**210.61—CIVILIAN MEDICAL PRACTITIONERS AND REGISTERED NURSES—FEES AND EXPENSES—(Cont'd)**

(*f*) other departments or agencies of the Government of Canada operating a full-time medical service;

he may authorize the employment of a civilian medical practitioner or registered nurse, as applicable.

(2) A civilian medical practitioner who is employed under (1) of this article shall be:

(*a*) paid the appropriate fee prescribed in (3) of this article; and

(*b*) subject to the approval of the officer authorizing his employment, reimbursed the amount of his actual and necessary travelling expenses.

(3) A civilian medical practitioner who is employed under (1) of this article shall be entitled to:

(*a*) when employed by the day, a fee of $12.00 per day, and single quarters and rations if available; or

(*b*) when employed for individual examinations, treatments or consultations, a fee

(i) of $5.00 for the medical examination of an applicant for enrolment in the navy, or

(ii) of $10.00 for the medical examination of an applicant for enrolment in the navy when it is necessary to determine the applicant's fitness for aircrew category and aircrew duties, or

(iii) of $3.00 for a medical re-examination for aircrew fitness, or

(iv) for other examinations, treatments or consultations, at the rate authorized from time to time for that type of examination, treatment or consultation when made in respect of persons under the care of the Department of Veterans Affairs.

(4) A civilian registered nurse who is employed under (1) of this article shall be paid at the rates prevailing in the area in which the services are performed.

(G)

**210.62—CIVILIAN OFFICIATING CLERGYMEN—FEES AND EXPENSES**

(1) A civilian clergyman who is provided as an officiating clergyman under article 33.02 (Provision of Chaplains and Officiating Clergymen) shall be entitled to:

(*a*) when employed to minister to officers and men of the Regular Force, for each day of employment, an amount equal to

(i) pay at the basic rate prescribed for the rank of lieutenant in the table to article 204.21, and

(ii) Subsistence Allowance at the rate prescribed for the rank of lieutenant in column "A" of the table to article 205.01; or

(b) when employed to minister to officers and men of the Reserves, pay at the rate and under the conditions prescribed for a lieutenant of the Reserves; and

(*c*) subject to the approval of the Senior Officer in Chief Command, reimbursement of his actual and necessary travelling expenses.

(2) A civilian clergyman employed under (1)(*b*) of this article shall, for each day on which he conducts divine worship at a naval division, be entitled to pay for a full day.

(G) (PC 1954-12/1307 of 8 Sep 54) (8 Sep 54)

### 210.63—CIVILIAN MEMBERS OF TRADE TEST BOARDS—FEES

(1) When an applicant for enrolment in the Regular Force as a bandsman or tradesman is to be examined in order to assess his trade qualification, and local service facilities are not available for that purpose, a civilian examiner may be employed at a fee not in excess of $2.00 for each candidate examined.

(2) The fee authorized in (1) of this article shall be payable in the manner prescribed by the Chief of the Naval Staff.

(G) (22 Jan 53)

(210.64 TO 210.69 INCLUSIVE: NOT ALLOCATED)

## *Section 7—Miscellaneous Entitlements and Services*

### 210.70—VOLUNTEERS FOR PHYSIOLOGICAL TESTS—REGULAR FORCE

(1) When authorized by the Senior Officer in Chief Command, an officer or man of the Regular Force who volunteers and is accepted as a subject for a physiological test or experiment conducted by or on behalf of the Canadian Forces or the Defence Research Board shall, as compensation, in circumstances involving discomfort or risk beyond that experienced in the performance of his normal duties, be paid $1.00 for each day of exposure to the test or experiment.

(2) When an officer or man suffers a severe lesion as a result of undergoing a physiological test or experiment, he shall be entitled, in addition to the compensation prescribed in (1) of this article, to compensation in an amount authorized by the medical officer in charge of the test, but not exceeding $20.00 for each lesion.

(3) Payment of compensation prescribed in this article shall be made as prescribed by the Chief of the Naval Staff.

(G) (11 Feb 54)

(210.71: RESERVED—ARMY AND AIR FORCE)

### 210.72—DISABILITY COMPENSATION—RESERVES

(1) An officer or man of the Reserves who suffers any injury, disease, or illness attributable to the performance of Continuous Naval Duty, Naval Training, Special Duty or Divisional Drills, as applicable, shall, for any period subsequent to the termination of that duty, be entitled:

(*a*) while he remains in hospital, to

(i) pay for his rank,

(ii) quarters and rations in kind, or Subsistence, Quarters or Ration Allowance, as applicable, at the rate prescribed for his rank in the table to article 205.01, and

(iii) if he is married or has a dependent child, as defined in article 205.20 (Marriage Allowance—General Conditions), Separated Family's Allowance at the rate prescribed for his rank and status in the table to article 205.26; and

**210.72—DISABILITY COMPENSATION—RESERVES—(Cont'd)**

(*b*) while he continues to receive treatment but does not remain in hospital, to pay and allowances as provided in (*a*) of this paragraph for such period, not exceeding three months, as the Minister may decide, except that Separated Family's Allowance shall not be payable for any period during which the officer or man actually resides with his family.

(2) For the purpose of the restriction imposed by article 204.05 (Restriction of Pay—Naval Training and Divisional Drills), the period of treatment under (1) of this article shall not count as days of training.

(3) An officer or man of the Reserves who, while on Continuous Naval Duty, Naval Training, or Special Duty suffers an injury, disease or illness not attributable to the performance of that duty and not as a result of his misconduct or imprudence, shall be entitled:

(*a*) until the termination of his period of that duty or until the date he is returned to his home, whichever is the earlier, to pay and allowances at the rates and under the conditions prescribed for his rank in these Regulations; and

(*b*) subsequent to the termination of his period of that duty and while his condition does not permit him to be sent to his home, to quarters and rations in kind or Subsistence, Quarters or Ration Allowance, as applicable, at the rate prescribed for his rank in article 205.01.

(4) An officer or man who, in the opinion of the Senior Officer in Chief Command, unreasonably refuses to accept the treatment prescribed, shall not, effective the date of his refusal, be entitled to any further financial benefits under this article.

(5) An officer or man shall not be entitled to any of the financial benefits prescribed in this article beyond the date of his release.

(G)

**(210.73: RESERVED—ARMY AND AIR FORCE)**

**210.74—PROVISION AND MAINTENANCE OF PHYSICAL FITNESS EQUIPMENT—REGULAR FORCE**

(1) The Chief of the Naval Staff may, for the purpose of providing physical fitness equipment for a ship or fleet establishment other than a naval division, approve a grant not exceeding:

(*a*) $4.00 for each officer and man authorized in the complement of the ship or fleet establishment on commissioning; and

(*b*) on each occasion following the commissioning, when the complement of the ship or fleet establishment is increased by 100 or more officers and men, $4.00 for each officer and man included in the increase. ~~(8 Dec 54)~~ 1 May 53 AL 2

(2) Subject to (3) and (4) of this article, the Captain of a ship or fleet establishment other than a naval division may be reimbursed the amount expended for the maintenance of physical fitness equipment used:

(*a*) by the Regular Force officers and men of the ship or establishment; and

(*b*) by cadets of the University Naval Training Division borne for training.

## 210.74—PROVISION AND MAINTENANCE OF PHYSICAL FITNESS EQUIPMENT—REGULAR FORCE—(Cont'd)

(3) The amount claimed in any fiscal year under (2)(a) of this article:

(*a*) shall not exceed

(i) $2.00 for each officer and man, or

(ii) when a ship or fleet establishment is paid off or commissioned during the year, one-twelfth of the amount computed under (i) of this subparagraph for each complete month that the ship or establishment is in full commission; and

(*b*) shall be based on

(i) the numbers borne on the thirty-first day of March of the preceding fiscal year, or

(ii) when a ship or fleet establishment is commissioned on or after the first day of April, the average numbers borne for the remainder of the fiscal year.

(4) The amount claimed under (2)(b) of this article shall not exceed in any fiscal year, $1.00 for each cadet borne, and reimbursement may be restricted to such amounts and to such ships and establishments as the Chief of the Naval Staff may prescribe.

(5) (*Reserved—Air Force*).

(G) (PC 1954-21/893 of 17 Jun 54) **(17 Jun 54)**

## 210.75—PROVISION AND MAINTENANCE OF PHYSICAL FITNESS EQUIPMENT—RESERVES

(1) Subject to (2) of this article, the Chief of the Naval Staff may, for the purpose of providing physical fitness equipment for a naval division, approve a grant not exceeding:

(*a*) $1.00 for each officer and man authorized in the complement of the naval division on commissioning; and

(*b*) on each occasion following the commissioning, when the complement of the naval division is increased by 100 or more officers and men, $1.00 for each officer and man included in the increase. ~~(8 Dec 54)~~ 1 May 55

(2) A naval division paid off for the purpose of immediate reorganization shall not be entitled to the grant prescribed in (1) of this article unless the naval division is authorized to re-commission after having been dormant for a period of one year or more.

(3) Subject to (4) of this article, the Captain may be reimbursed the amount expended for the maintenance of physical fitness equipment of a naval division.

(4) The amount claimed in any fiscal year under (3) of this article:

(*a*) shall not exceed

(i) fifty cents for each officer and man who is not a member of a University Naval Training Division, or

(ii) when a naval division is paid off or commissioned during the year, one-twelfth of the amount computed under (i) of this subparagraph for each complete month that the naval division is in full commission; and

## 210.75—PROVISION AND MAINTENANCE OF PHYSICAL FITNESS EQUIPMENT—RESERVES—(Cont'd)

(*b*) shall be based on

(i) the numbers borne on the thirty-first day of March of the preceding fiscal year, or

(ii) when a naval division is commissioned on or after the first day of April, the average numbers borne for the remainder of the fiscal year.

(G) (PC 1954–21/893 of 17 Jun 54) (17 Jun 54)

## 210.76—REWARDS FOR SALVAGE OF TORPEDOES, MINES AND PARAVANES

(1) Rewards may be paid for the salvage of torpedoes, mines and paravanes at the rates and under the circumstances prescribed in this article.

(2) (*a*) Apart from the appropriate reward prescribed in the table to this article, payment shall not be made for loss, material damage, loss of earnings or other damages resulting from the salvage of a torpedo or mine.

(*b*) A reward shall not be paid for a mine or depth charge brought up in fishing trawls and no payment shall be made for

(i) damage to trawls, or

(ii) damage sustained in destroying or sinking a mine.

(*c*) A reward for the salvage of torpedoes, mines or paravanes shall not be paid to a member of the navy or a person employed in the naval service.

(3) (*a*) Except as prescribed in (*b*) of this paragraph, the local naval authority shall certify and forward a claim for a reward made in accordance with this article to the Senior Officer in Chief Command, who, if he authorizes payment, shall pass the claim to the local Treasury Officer for payment.

(*b*) When a claim for a reward is made for the salvage of a torpedo or paravane lost from one of Her Majesty's Canadian Ships cruising outside of Canadian waters, the Captain may authorize the payment of the reward through the ship's Cash Account.

(*c*) Before payment is made, action shall be taken to obtain a statement in writing that no further claim will be made in respect of the salvage. The statement shall be in the following form:

"I.....*(for myself and on behalf of.....the owner of the vessel.....)* in consideration of the payment of $..... receipt whereof is hereby by me acknowledged, hereby release and forever discharge Her Majesty from and against any claim of whatsoever nature arising out of the salvage of.....

*Insert when payment is made to a person who is not the owner of the vessel involved.

Dated at.....this.....day of.....19....

.....
(Signature)

.....
(Witness)

TABLE TO ARTICLE 210.76

Rewards for the salvage of torpedoes, mines and paravanes

| | Serviceable Torpedo | Unserviceable Torpedo |
|---|---|---|
| (1) *Torpedoes* | | |
| (*a*) For furnishing information to the nearest maritime port, or customs authority resulting in the recovery of a lost torpedo | $10.00 | $ 5.00 |
| (b) For the salvage and delivery to a local authority of a torpedo: | | |
| (i) found on shore or not more than two miles distant from the coast | 50.00 | 25.00 |
| (ii) found more than two miles distant from the coast | 150.00 | 75.00 |
| (2) *Mines* | | |
| (*a*) For the salvage and report to the local naval authority in Canada of a floating mine: | | |
| (i) found not more than two miles distant from the coast of Canada | 10.00 | |
| (ii) found more than two miles distant from the coast of Canada | 25.00 | |
| (*b*) For the first report of a mine washed up on the shore of Canada | 5.00 | |
| (*c*) For reporting a mine floating off the coast of Canada and remaining with it until arrival of a mine disposal vessel | 100.00 | |
| (3) *Paravanes* | | |
| (*a*) For the salvage and delivery to a local authority of a paravane | 25.00 | |
| (*b*) When only a part of the paravane is salvaged or delivered, the amount of the award prescribed in (*a*) shall be reduced proportionately | —— | |

(G)

## 210.77—ACCOMMODATION ALLOWANCE—SURVIVORS

To provide for minor comforts for survivors of shipwrecked vessels, a daily allowance as prescribed in the table to this article shall be paid in respect of each survivor accommodated in a seagoing ship.
(G)

TABLE TO ARTICLE 210.77

| Type of Mess | Daily Rate | Payable to |
|---|---|---|
| | $ | |
| Officers' mess on Wardroom Messing | 1.05 | Officers' Mess |
| Officers' mess on General Messing | 0.25 | Officers' Mess |
| Men's mess | 0.15 | Ships' Fund |

(G)

## 210.78—REGISTRATION FEES AT CONVENTIONS

(1) Subject to (2) of this article, an officer or man shall be entitled to reimbursement for his actual and reasonable expenses incurred in respect of registration fees for attendance at scientific and professional or other conventions on duty.

(2) Reimbursement under (1) of this article shall not include the cost of a meal or meals provided during attendance at the convention and included in the registration fee.
(G)

## (210.79: RESERVED—ARMY)

## 210.80—TUITION FEES, BOOKS AND INSTRUMENTS—REGULAR FORCE NAVAL CADETS AT UNIVERSITY OR CANADIAN SERVICES COLLEGE

(1) A naval cadet of the Regular Force who is in receipt of pay and allowances under article 203.20(2) or a naval cadet of the Regular Force to whom the Regular Officer Training Plan applies, shall have paid on his behalf at public expense:

- (*a*) while attending a Canadian Services College, all fees and expenses prescribed in the Regulations for the Canadian Services Colleges; or
- (*b*) while attending a university
  - (i) the cost of tuition, student union or council fees, registration fees, library fees and student health fees, and
  - (ii) subject to the approval of the Chief of the Naval Staff, other similar fees levied by the university.

(2) In addition to the benefits prescribed in (1) of this article, a naval cadet attending a university shall be entitled to a grant of $75.00 payable once in each academic year in the manner prescribed by the Chief of the Naval Staff, for the purchase of books and instruments.

(3) When the Regular Officer Training Plan first applies to a naval cadet at a date subsequent to the commencement of an academic year, he shall be entitled to the benefits prescribed in (1) and (2) of this article for the whole of that academic year.

(G) (PC 1956-18/1128 of 26 Jul 56) (NS 4900-11) (1 Sep 56)

## 210.805—RECREATION CLUB FEES—H.M.C.S. VENTURE

A naval cadet of the Regular Force who is attending HMCS VENTURE shall have paid on his behalf at public expense a recreation club fee at the rate of $30.00 per year.
(G) (PC 1955–8/1317 of 1 Sep 55) (NS 2900–121/2) (1 Jan 55)

## (210.81: RESERVED—ARMY)

## 210.82—TRAINING BONUS—RESERVES

(1) Subject to (2) of this article and to any orders issued by the Chief of the Naval Staff, an officer or man of the Reserves, other than a cadet of a University Naval Training Division, who performs Naval Training or authorized training in lieu of Naval Training, of six consecutive days' duration, shall be entitled, once in each training year, to a bonus of:

(*a*) $25.00; or

(*b*) $40.00, if

(i) he is married,

(ii) he applies for the higher rate, and

(iii) the bonus is paid to his wife;

provided that he has attended not less than seventy-five per cent of Divisional Drills during the six months immediately preceding the commencement of a period of Naval Training or authorized training in lieu of Naval Training.

(2) An officer or man whose period of service in the Reserves commences within the six months immediately preceding the commencement of a period of Naval Training or authorized training in lieu of Naval Training, shall be entitled to the bonus prescribed in (1) of this article provided he has attended seventy-five per cent of the Divisional Drills during the period of his service immediately preceding commencement of a period of Naval Training or authorized training in lieu of Naval Training.

(G)(PC1954–3/1085 of 13 Jul 54) (1 Apr 54)

## 210.83—ALLOWANCE FOR PERSONAL REQUIREMENTS—PERSONS SUBJECT TO THE CODE OF SERVICE DISCIPLINE

When a person subject to the Code of Service Discipline under Section 56 (1)(*d*), (*e*), (*f*), (*g*), (*h*), (*i*) or (*j*) of the *National Defence Act* is held in service custody and is without funds, the commanding officer may approve payment to such person of an allowance for personal requirements at a rate of twenty-five cents a day for each day he is held in custody.
(G) (PC 1956–15/1128 of 26 Jul 56) (NS 2-222-3) (26 Jul 56)

## (210.84: RESERVED—ARMY)

## (210.83 TO 210.99 INCLUSIVE: NOT ALLOCATED)

APPENDIX XXI

# THE DEFENCE SERVICES PENSION ACT

Chapter 63 of the

Revised Statutes of Canada

*As amended by*

R.S.C. 1952, c. 310

1952-53, c. 24

1953-54, c. 13.

1955, c. 28.

1956, c. 18.

receipt of, or to which he would have been entitled, as the case may be. R.S., c. 133, s. 29.

**30.** (1) A widow's pension or a child's compassionate allowance, shall be discontinued if she or the child becomes unworthy of it, or becomes wealthy. Discontinued when.

(2) Where the widow remarries, her pension shall be suspended from the day following that of her remarriage; but in the event of her again becoming a widow, her pension may be restored, if she is otherwise qualified. Suspension.

(3) Where through her own neglect or omission, the claim of a widow to pension is not established before her death, the amount of pension that she might have received, if living, shall not be allowed her representatives. R.S., c. 133, s. 30. Right of representatives

**31.** The compassionate allowance to officers' children shall not be granted to a son over the age of eighteen, nor to a daughter over the age of twenty-one; and such allowance shall cease when the son reaches the age of eighteen, and when the daughter reaches the age of twenty-one or marries. R.S., c. 133, s. 31. Officers' children. Age limit.

**31A.** (1)For the purposes of this Act, a woman who Woman deemed to be widow.

(*a*) establishes to the satisfaction of the Treasury Board that she had, for a period of not less than seven years immediately prior to the death of an officer or former officer with whom she had been residing and whom by law she was prohibited from marrying by reason of a previous marriage either of that officer or of herself to another person, been maintained and publicly represented by that officer as his wife, or

(*b*) establishes to the satisfaction of the Treasury Board that she had, for a number of years immediately prior to the death of an officer or former officer with whom she had been residing, been maintained and publicly represented by that officer as his wife, and that at the time of the death of that officer neither she nor the officer was married to any other person,

shall, if the Treasury Board so directs, be deemed to be the widow of that officer and to have become married to him at such time as she commenced being so represented as his wife, and for the purposes of this Act a woman to whom this subsection would apply, but for her marriage to an officer or former officer after such time as she commenced being so represented as the wife of that officer, shall, if the Treasury Board so directs, be deemed to have become married to that officer at the time when, in fact, she commenced being so represented.

(2) If, upon the death of an officer or former officer, it appears to the Treasury Board that the widow of that officer had, for a number of years immediately prior to his death, been living apart from him under circumstances that would have disentitled her to an order for separate maintenance under the laws of the province in which the officer was ordinarily resident, and if the Treasury Board so directs, having regard to the surrounding circumstances, including the welfare of any children involved, she shall be deemed, for the purposes of this Act, to have predeceased that officer. Widow deemed to have predeceased officer.

(3) This section does not apply in respect of any officer or former officer whose death occurred prior to the coming into force of this section. 1955, c. 28, s. 15. Application.

**32.** (1) An officer or militiaman who, whilst belonging to His Majesty's Army Reserve, enlisted in the Permanent Force and who on the calling out of the said Army Reserve upon the commencement of the War between Great Britain and Germany in August, 1914, was under liability as a member of such Army Reserve to rejoin his corps, but who, under arrangements made with Pension to officer or militiaman of His Majesty's Army Reserve who enlisted in Permanent Force.

His Majesty's Government, was not discharged from the Force subsequent to the said calling out of the said Army Reserve shall, if he so elects as provided in subsection (2) be granted a pension equal to that which he would have received from British Funds had he rejoined his corps upon the said calling out of the Army Reserve, and served in His Majesty's Regular Army in ranks corresponding to those he held from time to time in the Canadian Military Forces until the date he was struck off the strength of the Canadian Expeditionary Force, such pension to commence as of and from the date following that on which such officer or militiaman was struck off the strength of the Canadian Expeditionary Force.

Election.

(2) An officer or militiaman to whom subsection (1) applies, shall be required to elect whether he shall be granted the pension therein mentioned, and if he so elects his service from the date of his enlistment in the Force whilst belonging to the said Army Reserve until the date he was struck off the strength of the Canadian Expeditionary Force, shall not be included in the term of service for any other pension or a gratuity under this Act; any gratuity or pension under this Act granted to an officer or militiaman prior to his so electing shall be re-computed as of the date on which the pension mentioned in subsection (1) commenced by excluding from the term of service on which such gratuity or pension was based the service first mentioned in this subsection; if by the exclusion of such service the officer or militiaman has not sufficient service to entitle him to a gratuity or pension, or the gratuity or pension to which he would be entitled on such re-computation is less than the gratuity or pension heretofore granted, there will be recovered from the pension payable to such officer or militiaman, under the provisions of subsection (1), all payments of gratuity and pension or over-payments thereof which have resulted; but if an officer who has already been granted a pension under this Act elects as aforesaid, and by the exclusion of the service mentioned he becomes ineligible for the grant of such pension, but becomes eligible for the payment of a gratuity under this Act, then such gratuity shall be applied towards the recovery of the payments of pension already made, and any balance of such payments not met by the application of such gratuity shall be recovered from the pension payable to such officer under the provisions of subsection (1). 1928, c. 35, s. 7.

Re-computation.

Provisions of 1919, c. 61, to apply to certain cases.

**33.** The provisions of chapter 61 of the statutes of 1919, being *An Act to amend the Militia Pension Act,* which came into force on the 7th day of July, 1919, apply to those officers and militiamen who by reason of wounds or disabilities received or suffered whilst on active service during the War between Great Britain and Germany, which commenced on the 4th day of August, 1914, were retired or discharged from the force prior to the said 7th day of July, 1919, and an officer who, by reason of such retirement before a period at which a pension might have been granted him, received a gratuity and who will by virtue of this section, become eligible for the grant of a pension under this Act, shall be required to elect whether he shall be granted such pension and if he so elects he shall repay such gratuity in such manner as the Governor in Council may determine. 1928, c. 35, s. 8.

Order to pay pension to another when pensioner incapable or for non-support.

**34.** When the Canadian Pension Commission is of the opinion that the pensioner is incapable of expending or is not expending the pension in a proper manner, or that he is not maintaining the members of his family to whom he owes the duty of maintenance, the Minister may order that the pension be paid to such person as it may appoint, in order that the money may be expended by such person, for the benefit of the pensioner and the members of his family; the expenses connected with such payment, if any, shall be paid by the Commission. 1928, c. 35, s. 9.

*Defence Services Pension Act*

## PART II.

**35.** This Act, subject to the modifications set out in this Part, applies with respect to the Royal Canadian Navy. 1928, c. 35, s. 10. Application to Royal Canadian Navy.

**36.** In the application of this Act to the Royal Canadian Navy, Definitions.

(*a*) "force" means the Royal Canadian Navy; "Force."

(*b*) "officer" means a commissioned officer, a subordinate officer and a warrant officer of the Royal Canadian Navy; "Officer."

(*c*) "man" means chief petty officer, petty officer, leading seaman, naval seaman and ordinary seaman and equivalent in the Royal Canadian Navy, and the expression "militiaman", as used in this Act, includes a "man" as herein defined; "Man."

(*d*) "rank" means substantive rank, and includes Commodore First Class; "Rank."

(*e*) "service", in the case of an officer, includes: "Service" in the case of an officer.

(i) one-half of the time served in the force while in receipt of unemployed pay or half pay,

(ii) one-half of the time served in the Royal Canadian Naval Reserve or Royal Canadian Naval Volunteer Reserve if he has served at least ten years in the Royal Canadian Navy, but the time to be credited to an officer under this paragraph for service in the Royal Canadian Naval Reserve or Royal Canadian Naval Volunteer Reserve shall in no case exceed ten years; and if an officer's pension is increased under the authority of this paragraph, then in addition to the deductions mentioned in this Act, such pension shall be subject to an annual deduction for a number of years equal to the number of years added to his service under the said authority, such deduction to be equivalent to five per cent of the pay that the officer was receiving at the time of his retirement from the force;

(*f*) "service", in the case of a man, does not include time served without pay in the force; "Service" in the case of a man.

(*g*) "pay" means full pay including, in the case of an officer, specialist's pay, and, in the case of a man, pay for non-substantive rank held, "Pay."

and includes in both cases marriage allowance and the allowances payable in lieu of lodging, provisions, light and fuel, but shall exclude all other extra pay; and

(*h*) notwithstanding that lodging, provisions, light and fuel, or any of them, are furnished in kind to an officer, the deductions from pay and pension, mentioned in section 9, and the pensions by this Act provided shall be computed as if the allowances in lieu thereof had in fact been paid. 1928, c. 35, s. 10; 1946, c. 59, s. 5. Allowances.

**37.** Notwithstanding anything in this Act, a man who subsequent to the 10th day of September, 1939, but prior to the 1st day of January, 1947, was promoted to the rank of acting warrant officer shall be treated as a man for the purposes of this Act during the period he continues to be an acting warrant officer. 1947, c. 9, s. 1. When man promoted to rank of acting warrant officer deemed to be a man and not an officer.

**38.** With respect to the payment of a compassionate allowance to the child of an officer under the provisions of this Act, the allowance so payable shall be by reference to the equivalent naval rank held. 1928, c. 35, s. 10. Compassionate allowance to child.

## PART III.

**39.** This Act, subject to the modifications set out in this Part, applies with respect to the Permanent Active Air Force. 1928, c. 35, s. 11. Application to Permanent Active Air Force.

**40.** In applying this Act to the Permanent Active Air Force, Definitions.

(*a*) "force" means the Permanent Active Air Force and any other component of the Royal Canadian Air Force the members of which are enlisted or appointed for continuing full-time service; "Force."

(*b*) "officer" means a commissioned officer, a subordinate officer or a warrant officer of the force; "Officer."

(*c*) "man" means a non-commissioned officer or aircraftsman of the force, and the expression "militiaman", as used in this Act, includes a "man" as herein defined; "Man." "Militiaman."

(*d*) "service" in the case of an officer includes "Service" in case of officer.

(i) time served with pay or salary in the public service of Canada under the Air Board prior to the 1st day of April, 1924,

(ii) time served with pay in the Canadian Air Force prior to the 1st day of April, 1924, and

(iii) half the time served in the Canadian Air Force other than as mentioned in subparagraph (ii) or in the Royal Canadian Air Force other than the force, but the time to be credited under this subparagraph shall in no case exceed ten years, and if an officer's pension is increased by reason of this subparagraph, then in addition to the deductions mentioned in section 9, such pension shall be subject to an annual deduction for a number of years equal to the number of years added to his service under this subparagraph, such annual deductions to be equal to five per cent of the pay that the officer was receiving at the time of his retirement from the force; and

(*e*) "service" in the case of a man includes "Service" in case of man.

(i) time served with pay or salary in the public service of Canada under the Air Board prior to the 1st day of April, 1924, and

(ii) time served with pay in the Canadian Air Force prior to the 1st day of April, 1924. 1928, c. 35, s. 11; 1950, c. 32, s. 6.

Compassionate allowance to child.

**41.** With respect to the payment of a compassionate allowance to the child of an officer under the provisions of this Act, the allowance so payable shall be by reference to the equivalent Air Force rank held. 1928, c. 35, s. 11.

## PART IV.

### GENERAL.

Time of payment of pensions and compassionate allowances.

**42.** Pensions and compassionate allowances granted under this Act shall, unless otherwise ordered by the Governor in Council, be payable in equal monthly instalments in arrear, and unless otherwise specified by this Act shall continue during the lifetime of the recipient. 1937, c. 12, s. 2.

Service for more than fifteen days to count as month.

**43.** For the purpose of computing pensions or gratuities under this Act fractions of years of service shall be counted, and for this purpose a period of service of fifteen days or more shall count as one month but a period of less than fifteen days shall not be counted. 1950, c. 32, s. 7.

Parts I to IV not applicable to certain persons.

**44.** Parts I to IV do not apply to officers or militiamen who were not in the forces on the 31st day of March, 1946, and who were or are appointed to or enlisted in the forces subsequent to that day and who have not been granted a pension under any of those Parts. 1950, c. 32, s. 7.

"Service."

Rep. and New. 1953-54, c. 13, s. 2.

**44A.** For the purpose of computing a pension under any of Parts I to III, with respect to an officer, "service" in any such Part, in addition to any periods specified in Parts I to III, includes any continuous period of full-time service of six months or more in the naval, army or air forces of His Majesty raised in Canada other than the forces as defined in such Part, under such circumstances and to such extent as the Governor in Council may by regulation prescribe, but such service may not be counted as service under any other provision of any of such Parts, except to the extent prescribed by paragraph (*e*) of section 7, sub-paragraph (ii) of paragraph (*e*) of section 36 or subparagraph (iii) of paragraph (*d*) of section 40, for the purpose of determining eligibility for pension.

Regulations.

New. 1953-54, c. 13, s. 2.

**44B.** (1) The Governor in Council may make regulations

*(*a*) prescribing the extent to which and the manner in which any person in receipt of a pension under any of Parts I to III who, after his retirement from the forces, is appointed to a position in the public service of Canada or is appointed to or enlists in the naval, army or air forces of Canada, may count that additional service for the purpose of computing his pension under such Part; and

(*b*) providing for payment out of the Consolidated Revenue Fund, upon the death of any person in respect of whom any pension or compassionate allowance becomes payable under any of Parts I to III and upon application to the Minister by or on behalf of any successor thereunder to whom any such pension or allowance becomes payable, of the whole or any part of such portion of the succession duties payable by that successor as is determined in accordance with the said regulations to be attributable to that pension or allowance, and prescribing the amounts by which and the circumstances under which any such pension or allowance shall be reduced.

*NOTE—1955, c. 28, s. 16, provides as follows:
"16. Paragraph (a) of subsection (1) of section 44B of the said Act is applicable in respect of any person therein described whether or not that person was employed in the public service of Canada or was a member of the naval, army or air forces of Canada upon the coming into force of that paragraph, and any regulations made pursuant to that paragraph shall, if the Goverhor in Council so directs, be deemed to have become effective on such date, subsequent to the 30th day of June, 1950, as the Governor in Council determines."

*Defence Services Pension Act*

(2) Notwithstanding anything in Part V of this Act, that Part does not apply in respect of any service that, by virtue of any regulation made pursuant to paragraph (*a*) of subsection (1), any person described in that paragraph elects to count for the purpose of computing his pension under any of Parts I to III. Part V not to apply.

**44c.** Any person who knowingly makes any statement or gives any information that is false in any material particular for the purpose of obtaining, either for himself or for any other person, any payment under any of Parts I to III is guilty of an indictable offence and is liable to imprisonment for a term not exceeding one year or to a fine not exceeding one thousand dollars, or to both such fine and imprisonment. 1955, c. 28, s. 17. Offence.

## PART V.

### INTERPRETATION.

**45.** (1) In this Part, Definitions.

(*a*) "child" includes a stepchild and an adopted child; "Child."

(*b*) "Civil Service" means all branches or portions of the public service of Canada to which the *Civil Service Superannuation Act* is applicable; "Civil Service."

(*c*) "contributor" means a member of the forces who contributes under this Part to the Consolidated Revenue Fund; "Contributor."

(*d*) "forces" means the regular forces, and includes the forces known, prior to the coming into force of Part II of the *National Defence Act*, as the Royal Canadian Navy, the Canadian Army Active Force, the Permanent Active Militia, the Permanent Militia Corps, the permanent staff of the Militia, the Royal Canadian Air Force (Regular) and the Permanent Active Air Force; "Forces."

(*e*) "member of the forces" means an officer or man of the forces, excluding an officer appointed temporarily or under a commission for a fixed term to whom this Act did not apply immediately prior to his being so appointed; "Member of the forces."

(*f*) "officer" means a commissioned or subordinate officer of the force and includes a warrant officer of the Royal Canadian Navy; "Officer."

(*g*) "pay and allowances" of a contributor means the pay payable to him by reason of the rank or appointment held by him in the forces and such allowance made by way of compensation for the said rank or appointment as may be fixed for the purposes of this Part by regulation; "Pay and allowances."

(*h*) "regulation" means a regulation made under this Part; and "Regulation."

(*i*) "service" means time served in the forces and includes for the purpose of making contributions and of computing pensions or gratuities under this Part, "Service.

(i) time served in the Civil Service or the Royal Canadian Mounted Police,

(ii) time served on active service in the naval, army or air forces of His Majesty raised in Canada during time of war,

(iii) time served on active service, prior to a date or dates fixed by the Governor in Council, during time of war in any of the naval, army or air forces of His Majesty, other than those raised in Canada, by any person who, having served on active service in any of the forces of His Majesty during the war that commenced on the 10th day of September, 1939, is appointed to or enlisted in the forces, New. 1952-53, c. 24, s. 6(1).

(iv) one-fourth of the period of service during which the contributor served in the naval, army or air forces of His Majesty raised in Canada other than the forces and was liable to be called out for periodic and annual training or duty by the Governor in Council other than during an emergency if the service is not service that may be counted under any other subparagraph of this paragraph,

(v) in the case of any person who elects to become a contributor under this Part, any period that might have been counted as service of such person under any other Part, and

(vi) any continuous period of full-time service of six months or more in the naval, army or air forces of His Majesty raised in Canada other than the forces, under such circumstances and to such extent as the Governor in Council may by regulation prescribe, but such service may not be counted as service under any other subparagraph of this paragraph. Rep. and New. 1953-54, c. 13, s. 4.

(2) A contributor, being an officer, who is retired by reason of the expiration or anticipated expiration of a fixed term of service shall, for the purposes of this Part, be deemed to have been Failure to re-engage.

(*a*) compulsorily retired from the forces if,

(i) he did not accept an offer for a further fixed term of service, or

(ii) he offered to accept a commission for an indefinite term of service in the forces but his offer was not accepted; and

(*b*) retired at his own request from the forces if he was offered and did not accept a commission for an indefinite term of service in the forces;

and such retirement of an officer mentioned in subparagraph (i) of paragraph (*a*) shall be deemed to promote economy or efficiency in the forces. 1956, c. 18, s. 2.

(2a) A contributor, being a man, who is retired upon the expiration of a period of engagement shall, for the purposes of this Part, be deemed to have been retired from the forces,

(*a*) compulsorily if he offered to re-engage but his offer was not accepted, and

(*b*) at his own request if he was offered and did not accept an offer to re-engage in the forces. 1956, c. 18, s. 2.

(3) A contributor shall for the purposes of this Part be deemed to have been retired by reason of misconduct if, Retirement by reason of misconduct.

(*a*) in the case of an officer,

(i) by sentence of a court martial, he is cashiered or dismissed with disgrace from His Majesty's service or dismissed from His Majesty's service,

(ii) he is deprived of his commission or warrant by reason of misconduct or by reason of conviction by a civil court,

(iii) he is called upon to retire or to resign his commission or warrant by reason of misconduct, or

(iv) he tenders his resignation to avoid trial on charges involving misconduct and his resignation is accepted; and

(*b*) in the case of a member of the forces other than an officer,

(i) by sentence of a court martial, he is discharged or discharged with ignominy or dismissed with disgrace from His Majesty's service or dismissed from His Majesty's service, or

(ii) by reason of conviction by a civil court or a court-martial, he is released from the forces. 1946, c. 59. s. 6; 1950, c. 32, s. 8; 1951 (2nd Sess.), c. 7, s. 8.

APPLICATION.

Application of this Part.

**46.** This Part applies to every member of the forces

(*a*) who was not a member of the forces on the 31st day of March, 1946, and who was or is appointed to or enlisted in the forces after the said day,

(*b*) who was appointed to or enlisted in the forces on or before the said day and was still in the forces on the said day and who elects to become a contributor under this Part on or before the 31st day of December, 1950,

(*c*) who was a member of the forces on the 31st day of March, 1946, and who, subsequent to that day, was retired or discharged from the forces for a purpose other than promotion to commissioned rank in the same Service of the force and at any time after being so retired or discharged again becomes a member of the forces, or

(*d*) who was appointed to or enlisted in the forces on or before the 31st day of March, 1946, was still in the forces on that day, and who on such day or thereafter was serving as an officer appointed temporarily or for a fixed term and who while so serving, becomes a member of the forces by reason of a change in the nature of his appointment, and who within six months of the date of that change or within six months after the 1st day of September, 1950, whichever is the later, elects to become a contributor under this Part. 1946, c. 59, s. 6; 1950, c. 32, s. 9.

CONTRIBUTIONS.

Contribution to C.R.F.

**47.** (1) Every person to whom this Part applies shall, by reservation from his pay and allowances, contribute to the Consolidated Revenue Fund the following amounts,

(*a*) while in receipt of pay and allowances of twelve hundred dollars per annum or less, five per cent thereof;

(*b*) while in receipt of pay and allowances over twelve hundred dollars and not over fifteen hundred dollars per annum, five and one-half per cent thereof but not in excess of an amount that would reduce the remainder of his pay and allowances to a rate per annum of eleven hundred and forty dollars; or

(*c*) while in receipt of pay and allowances over fifteen hundred dollars per annum, six per cent thereof but not in excess of an amount that would reduce the remainder of his pay and allowances to a rate per annum of fourteen hundred and seventeen dollars and fifty cents;

but no such contribution shall be made in respect of a period of service in excess of thirty-five years.

(2) Where a person becomes a contributor or where the pay and allowances of a contributor are increased, if the date in respect of which he becomes a contributor or the increase is made effective, is a date prior to the date on which the appointment or increase is certified or approved, the said contributor shall contribute to the Consolidated Revenue Fund an amount equal to, or an amount that, together with the contributions, if any, made by him under this Part during the period between the said effective date and the said date of certification or approval, will equal the amount that he would have contributed under this section by reservation from his pay and allowances if the appointment or increase had been certified or approved on the date it was made effective. 1946, c. 59, s. 6.

From effective date of appointment or increase.

**48.** (1) Any contributor may within one year after he becomes a contributor or within six months after the 1st day of September, 1950, whichever is the later, elect to contribute under this Part in respect of the whole or any part of his service prior to becoming a contributor for which he has not contributed under this Act, the *Civil Service Superannuation Act* or the *Royal Canadian Mounted Police Act* other than Part IV.

Election to contribute for service prior to becoming a contributor.

(2) The contributions required under this section in respect of the whole of the service of a contributor prior to the time he became a contributor for which he has not contributed shall be an amount equal to that which he would have contributed had he during the said service made contributions under this Part in the manner and at the relevant rates set out in subsection (1) of section 47 together with simple interest at the rate of four per cent per annum up to the time of his election and the contribution required in respect of any part of the said service shall be that proportion of the said amount that the said part is of the whole of the said service.

Amount of contributions.

(2a) A contributor may, at any time before he ceases to be a member of the forces, elect under this Part to contribute in respect of the whole or any part of any service for which he might have elected under this Part to contribute, but for which he failed so to elect within the time prescribed therefor, in which case, notwithstanding anything in this section, the amount required by this Part to be contributed by him in respect of that service is an amount as determined in accordance with the regulations, not less than the amount that he would have been required to contribute in respect of that service had he elected, immediately prior to the expiration of the time prescribed for the making of the election, to contribute in respect thereof. 1955, c. 28, s. 18.

Election where contributor failed to elect within time prescribed.

(3) A contribution made under this section or under subsection (2) of section 47 may be made in one sum or by instalments of equivalent value payable by reservation from pay and allowances or otherwise, for life, or for a period of years or for life whichever is the shorter, the said instalments to be computed on such basis as to mortality and interest as the Governor in Council may by regulation prescribe.

Contribution may be made in one sum or by instalments.

(4) Where a contributor who is contributing by instalments in respect of prior service under this section, retires before payment of the instalments in full, he shall be deemed to have contributed in respect of the service for which he elected to contribute, and the remaining instalments shall be reserved out of any pension, or, where he is entitled to a gratuity, the present value of those remaining instalments shall be deducted from the gratuity. 1946, c. 59, s. 6; 1950, c. 32, s. 10.

Retirement before instalments paid in full.

(5) Every election made by a contributor under this Part shall be made by him while a member of the forces and shall be evidenced in writing, in the form prescribed by the Minister, and witnessed, and the original thereof shall be forwarded to a person designated by the Minister for the purpose, by registered mail or in such other manner as the Minister directs, within the time prescribed by this Part for the making of the election or, in the case of an election that may be made by the contributor at any time before he ceases to

Manner of making elections.

be a member of the forces, within one month from the time of making the election. 1955, c. 28, s. 18.

Medical examination.

(6) Notwithstanding anything in this section, an election under subsection (2a) is void unless the contributor by whom the election is made has passed a medical examination, as prescribed in the regulations, within such time immediately before or after the making of that election as is prescribed in the regulations. 1955, c. 28, s. 18.

PENSIONS, ALLOWANCES AND GRATUITIES.

**49.** An annual pension shall be paid to a contributor

Contributor other than officer, retiring after twenty-five years' service.

(*a*) who is not an officer and who has served in the forces for twenty-five years or more and who is retired at his own request from the forces at the end of a period of engagement or re-engagement otherwise than by reason of misconduct;

Contributor retired after twenty years' service.

(*b*) who has served in the forces for twenty years or more and who is retired from the forces because

(i) he has reached the prescribed age limit for his rank,

(ii) his services are no longer required by reason of a reduction in establishment, or

(iii) his retirement is to promote economy or efficiency in the force and in the opinion of the Treasury Board his retirement will promote economy or efficiency;

Contributor retired after ten years' service for medical reasons.

(*c*) who has served in the forces for ten years or more and who is retired as being physically or mentally unfit to perform his duties as a member of the forces and such unfitness has been certified by a medical board composed of not less than three medical officers of any of the forces and confirmed by the chief medical officer of the force in which the contributor is serving;

Contributor retired after ten years' service who was not in the forces on 1st June, 1944, and who was appointed to or enlisted in the forces prior to 31st December, 1948.

(*d*) who has served in the forces for ten years or more, and who served on active service in any of His Majesty's forces wherever raised, during the war that commenced on the 10th day of September, 1939, and who was not in the forces on the 1st day of June, 1944, and who is appointed to or enlisted in the forces on or before the 31st day of December, 1948, and who is retired from the forces for any of the reasons and under the conditions mentioned in paragraph (*b*);

Contributor other than officer retiring with between 20 and 25 years' service.

(*e*) who is not an officer and has served in the forces for twenty years but less than twenty-five years and who is retired at his own request from the forces at the end of a period of engagement or re-engagement otherwise than by reason of misconduct, but in any such case the pension shall be reduced by five per cent for each complete year by which his period of service in the forces is less than twenty-five years; 1955, c. 28, s. 19.

Contributor retired with between 10 and 20 years' service having reached maximum age.

(*f*) who is not entitled to pension under paragraph (*d*) but who has served in the forces for ten years but less than twenty years and is retired for the reason mentioned in subparagraph (i) of paragraph (*b*), but in any such case the pension shall be reduced by one per cent for each complete year by which the number of years of his service in the forces is less than twenty years; 1955, c. 28, s. 19.

Contributor retired with between 10 and 20 years' service for reasons other than having reached maximum age.

(*g*) who is not entitled to pension under paragraph (*d*) but who has served in the forces for ten years but less than twenty years and is retired for either of the reasons and under the conditions mentioned in sub-paragraph (ii) or (iii) of paragraph (*b*), but in any such case the pension shall be reduced by one-third until he attains the age of sixty-five years;

(*h*) who has served in the forces for ten years or more and who is retired by reason of his inefficiency in the performance of his duties, caused otherwise than by misconduct, but in any such case the pension shall be reduced by one-half until he attains the age of sixty-five years and thereafter he shall be paid two-thirds of the pension; or

Contributor retired by reason of inefficiency.

(*i*) who has served in the forces for ten years or more and who is retired by reason of misconduct and on whose behalf a recommendation has been made by the Minister and approved by Treasury Board that it is in the public interest by reason of good and faithful service rendered by the contributor in the forces prior to the time of his misconduct, but in such case the pension shall be reduced by one-half until he attains the age of sixty-five years and thereafter he shall be paid two-thirds of the pension. 1950, c. 32, s. 11.

Contributor retired by reason of misconduct.

***50.** (1) Where a contributor who has served in the forces for ten years or more dies while a member of the forces or dies while in receipt of an annual pension, his widow shall be paid an annual pension until re-marriage equal to one-half of the annual pension that would have been payable to the contributor had he been retired under the circumstances mentioned in paragraph (*c*) of section 49 at the date of his death or his retirement, as the case may be.

Annual pension to widow of contributor with ten years' service.

(1a) Subject to regulations made by the Governor in Council where payment of any widow's pension under this Part has been discontinued by reason of her remarriage and she again becomes a widow, payment of that pension may, to the extent that she is otherwise entitled under this Part to receive the same, be resumed.

Widow's pension to be resumed.

New. 1953-54, c. 13, s. 5(1).

(2) Where a contributor who has served in the forces for ten years or more dies while a member of the forces or dies while in receipt of an annual pension, each of his children shall be paid an annual pension until attaining the age of eighteen years, equal to one-fifth of the annual pension payable to his widow under subsection (1) or three hundred dollars, whichever is the lesser.

Annual pension to children of contributor with ten years' service.

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*NOTE—The *Canadian Forces Act, 1954*, 1953-54, c. 13, s. 5(2) provides as follows:—

"Where payment of any pension to which a widow was entitled under Part V of the *Defence Services Pension Act*, chapter 63 of the Revised Statutes of Canada, 1952 or Part V of *The Defence Services Pension Act*, chapter 133 of the Revised Statutes of Canada, 1927 was discontinued by reason of the remarriage of the widow and, prior to the coming into force of this Act, she again became a widow, the said pension shall be deemed to have become payable to her under such Part at the time she again became a widow, to the extent that she was, at that time, otherwise entitled under such Part to receive the same.".

amount, but in the case of a child who has lost both parents by death, the pension shall be doubled; but the total amount of the pension to the children of a contributor shall not exceed the amount of the pension that would be payable to the widow of such contributor in like circumstances, and the total amount of the pension to the widow and children shall not exceed three-fourths of the annual pension that would have been payable to the contributor under paragraph (*c*) of section 49 at the date of his death or his retirement, as the case may be. 1950, c. 32, s. 11.

Certain contributors included.

(3) For the purposes of this section, the expression "contributor who has served in the forces for ten years of more" includes a contributor who

New. 1952-53, c. 24, s. 6(2)

(*a*) has been a member of one or more of the regular, auxiliary or reserve military services of Canada for twenty years or more, and

(*b*) of the twenty years or more mentioned in paragraph (*a*), has served for a continuous period of ten years or more immediately preceding his death or retirement

(i) on active service in the military services of Canada during the Second World War, and

(ii) subsequent to the service described in subparagraph (i), in the forces as defined in this Act.

Contributor who has served less than ten years.

**51.** (1) A contributor who has served in the forces for less than ten years and who is retired from the forces for any of the reasons and under the conditions mentioned in paragraphs (*b*) and (*c*) of section 49, shall be paid a gratuity equal to one month's pay and allowances for each year of his service.

Gratuity to widow of contributor with less than ten years' service.

(2) Where a contributor who has served in the forces for less than ten years dies while in the forces, his widow shall be paid a gratuity equal to one month's pay and allowances for each year of his service, or where the contributor dies and leaves no widow, such gratuity shall be paid to his children under the age of eighteen years at the date of his death.

Gratuity to service estate of contributor.

(3) Where a contributor dies while serving in the forces and leaves no widow or children to whom a pension or gratuity is payable, a gratuity in an amount equal to his total contribution made under this Part without interest shall be paid into and become part of the service estate of the contributor as defined in the *National Defence Act.*

Gratuity to dependent children of contributor with ten years' service.

(4) Where a contributor who has served in the forces for ten years or more dies and the aggregate amount paid to the contributor and to his widow and children by way of pension or gratuity does not exceed the total amount of his contributions without interest and no other moneys are payable under this Part by reason of the death of the contributor, a gratuity in an amount equal to the difference between the total amount of his contributious without interest and the aggregate amount of the pensions and gratuities paid to the contributor, his widow and children, shall be paid

(*a*) to the dependent children of the contributor, or

(*b*) in the absence of any such dependent children, to the estate of the contributor or, if the amount of the gratuity is less than five hundred dollars, as authorized by the Treasury Board. 1955, c. 28, s. 20.

Gratuity equal to contributions.

**52.** A gratuity in an amount equal to the contributions of a contributor under this Part without interest shall be paid to a contributor to whom an annual pension or other gratuity is not payable under any other section of this Part. 1950, c. 32, s. 11.

Where appointed as an officer or enrolled in another force.

**53.** Unless the Minister otherwise directs, a gratuity or pension shall not be paid to a contributor upon his release from one of the forces for the purpose of his enrolment in any of the forces. 1951 (2nd Sess.), c. 7, s. 8.

Contributor who has been a member of military services for 20 years but has served in forces for less than 10 years.

**54.** A contributor who

(*a*) has been a member of one or more of the regular, auxiliary or reserve military services of Canada for twenty years or more, and

(*b*) of the twenty years or more mentioned in paragraph (*a*), has served for a continuous period of ten years or more immediately preceding his retirement

(i) on active service in the military services of Canada during the Second World War, and

(ii) subsequently in the forces as defined in this Act,

may be granted an annual pension by the Governor in Council under the conditions set out in paragraph (*c*) or (*d*) of section 49 notwithstanding that he has completed less than ten years' service in the forces, as defined in this Act. 1951 (2nd Sess.), c. 7, s. 8.

Amount of pension, how calculated.

**55.** (1) Except as herein otherwise provided an annual pension granted under section 49 shall be one-fiftieth of the average pay and allowances received by the contributor during the last six years of his service multiplied by the number of years of his service not exceeding, however, thirty-five years.

Refund of contributions made in respect of higher rate of pay and allowances than that on which pension or gratuity is computed.

(2) Where the average pay and allowances for the period fixed by this Part for the purpose of computing the pension of a contributor is less than the average pay and allowances for any like period during the contributor's service, the contributor or his widow or children under the age of eighteen years, as the case may be, are entitled to receive in addition to a pension under this Part a refund of the contributions made in respect of the excess of his pay and allowances during any like period over his pay and allowances for the period so fixed, and the Governor in Council on the recommendation of the Treasury Board may by regulation determine the basis of such refund in any case or class of cases, and where the contributor has died without receiving the refund, the person or persons amongst the surviving widow and children or children only, of the contributor to whom it shall be paid, and if to more than one of them the manner in which it shall be apportioned. 1950, c. 32, s. 12.

Only contributory service to count.

**56.** (1) All service of a contributor, whether or not the service has been continuous, in respect of which the contributor has at any time made contributions under this Part or under any other Part or under the *Civil Service Superannuation Act* or the *Royal Canadian Mounted Police Act*, other than Part IV thereof, which contributions have not previously been repaid to him by way of gratuity or otherwise, may, on his retirement or death, be counted for the purpose of computing any pension or gratuity under this Part but, except as provided by subsections (2), (3) and (4), no other service may be counted.

Exception.

Service that may be counted under other Parts.

(2) Where a person who has elected to become a contributor under this Part has service in the forces that could be counted as service for the purpose of a pension under any other Part for which he was not required to make any contribution, the whole of the said service may be counted for the purpose of computing any pension or gratuity under this Part, but an amount equal to five per cent of the aggregate pay and allowances received by him during such service shall be deducted from the gratuity, if any, or shall be commuted, on such basis as may be prescribed by regulation, into an annuity in respect of his life commencing at the age when the pension becomes payable and the amount of the annual payment of such annuity shall be deducted from the payments of pension, but the person to whom the pension is payable may, any time after the pension becomes payable, make good in one payment the value of the said deductions which would be made thereafter under this sub-section from the said pension.

Service of a contributor where contributions have been refunded may be counted.

(3) The Governor in Council may by regulation provide that the service of a contributor for which he made contributions under any Part or under the *Civil Service Superannuation Act* or the *Royal Canadian Mounted Police Act*,

other than Part IV thereof, which contributions have been refunded to him by way of a gratuity or otherwise, may be counted for the purpose of computing any pension or gratuity under this Part to such extent and on such conditions and upon the making of such contributions as may be prescribed by regulations.

Service under a temporary commission may be counted.

(4) Where a contributor had, prior to becoming a contributor, served as an officer in the forces temporarily or under a commission for a fixed term, his service in the forces prior to becoming a contributor may be counted for the purpose of computing any pension or gratuity under this Part if he repays any gratuity received by him in respect of such service and he makes the contributions required by this Part in respect of such service and the Governor in Council may by regulation prescribe the manner in which the said refund and contributions may be made. 1950, c. 32, s. 12.

Surrender of benefit under Parts I to III, etc.

(5) Notwithstanding anything in this Act, the *Public Service Superannuation Act* or the *Royal Canadian Mounted Police Act,* upon the transfer to the Permanent Services Pension Account in the Consolidated Revenue Fund, pursuant to any regulation made under paragraph (*f*) of section 61, of any amount credited in respect of contributions of a contributor under this Part made under any other Part or under the *Public Service Superannuation Act* or the *Royal Canadian Mounted Police Act,* the contributor ceases to be entitled to any benefit under such other Part or under the *Public Service Superannuation Act* or the *Royal Canadian Mounted Police Act,* as the case may be, to the extent that any service of the contributor upon which that benefit was based may be counted by him under subsection (1) for the purpose of computing a pension or gratuity under this Part. 1955, c. 28, s. 21.

Annual pensions payable in equal monthly instalments.

**57.** The pensions provided for by this Part shall, unless otherwise provided by regulations under this Part, be payable in equal monthly instalments and unless otherwise specified in this Part shall continue during the lifetime of the recipient; but the Governor in Council on the recommendation of the Treasury Board may by regulation authorize the payment of a pension to the last day of the month in which the recipient dies. 1950, c. 32, s. 12.

Service Pension Board.

**58.** (1) The Minister shall appoint a board, to be known as the Service Pension Board, which shall consist of a chairman, a member from each Service and a member to represent the Minister.

Requisition for payment of benefit.

(2) A requisition for payment of a pension or gratuity to a contributor or dependant under this Part shall be supported by

(*a*) a certificate by the Service Pension Board that the actual cause of retirement of the contributor establishes a right to the type of pension or gratuity recommended by the Service,

(*b*) a certificate by the Judge Advocate General that the contributor is legally entitled to payment of the benefit recommended, and

(*c*) such a certificate by the Auditor General as may be directed by the Treasury Board. 1950, c. 32, s. 12.

Idem.

(3) Notwithstanding subsection (2), a certificate under paragraph (*a*) or (*b*) of that subsection is not required, in any case or class of cases specified by the Treasury Board, for the purposes of any requisition for payment of a benefit under this Part to or in respect of a contributor who served in the forces for a period of less than ten years. 1955, c. 28, s. 22.

No right in certain cases.

**59.** (1) Subject to subsection (2), no widow or child of a contributor is entitled to a pension or gratuity under this Part if

(*a*) the contributor was over sixty years of age at the date of his marriage;

(*b*) the contributor dies within one year of the date of his marriage, unless the Treasury Board is satisfied that the contributor was in good health at that date; or

(*c*) the person to whom the pension or gratuity is otherwise payable is in the opinion of the Treasury Board unworthy of it.

Exception.

(2) A breach by the contributor of the conditions as to marriage prescribed by subsection (1) does not prejudice the right to a pension or gratuity of a child of an earlier marriage of the contributor.

Contributor twenty years older than wife.

(3) Where the contributor marries and his age exceeds that of his wife by twenty years or more the pension payable to his widow, under this Part, shall be reduced by such an amount as the Governor in Council may by regulation prescribe.

Payment in event of disentitlement of widow.

(4) Where the widow is by virtue of this section not entitled to a pension or gratuity the children of the contributor are entitled to the same pension or gratuity as they would have been entitled to had the widow predeceased the contributor, and such pension or gratuity shall be paid for the benefit of the children to such person and under such terms and conditions as may be prescribed by the Treasury Board. 1950, c. 32, s. 12.

Woman deemed to be widow.

**59A.** (1) For the purposes of this Part, a woman who

(*a*) establishes to the satisfaction of the Treasury Board that she had, for a period of not less than seven years immediately prior to the death of a contributor or former contributor with whom she had been residing and whom by law she was prohibited from marrying by reason of a previous marriage either of that contributor or of herself to another person, been maintained and publicly represented by that contributor as his wife, or

(*b*) establishes to the satisfaction of the Treasury Board that she had, for a number of years immediately prior to the death of a contributor or former contributor with whom she had been residing, been maintained and publicly represented by that contributor as his wife, and that at the time of the death of that contributor neither she nor the contributor was married to any other person,

shall, if the Treasury Board so directs, be deemed to be the widow of that contributor and to have become married to him at such time as she commenced being so represented as his wife, and for the purposes of this Part a woman to whom this subsection would apply, but for her marriage to a contributor or former contributor after such time as she commenced being so represented as the wife of that contributor, shall, if the Treasury Board so directs, be deemed to have become married to that contributor at the time when, in fact, she commenced being so represented.

Widow deemed to have predeceased contributor.

(2) If, upon the death of a contributor or former contributor, it appears to the Treasury Board that the widow of that contributor had, for a number of years immediately prior to his death, been living apart from him under circumstances that would have disentitled her to an order for separate maintenance under the laws of the province in which the contributor was ordinarily resident, and if the Treasury Board so directs, having regard to the surrounding circumstances, including the welfare of any children involved, she shall be deemed, for the purposes of this Part, to have predeceased that contributor.

Application.

(3) This section does not apply in respect of any contributor or former contributor whose death occurred prior to the coming into force of this section. 1955, c. 28, s. 23.

Employment of officer pensioner in the public service of Canada or the forces.

Rep. and New. R.S.C. 1952, c. 310, s. 4(4).

**60.** (1) A contributor who has been retired as an officer, warrant officer or chief petty officer 1st class or 2nd class and has been granted a pension under this Part and is employed in the public service of Canada or appointed to, enlisted in or transferred to the naval, army or air forces of Canada is entitled to receive that part of his pension which, when added to his salary or pay and allowances, as the case may be, will not at any time exceed the greater of

(*a*) the pay and allowances of which he was in receipt at the date of his retirement from the force, or

(*b*) the current pay and allowances in effect for an officer, warrant officer or chief petty officer 1st class or 2nd class holding the same rank and under the same circumstances as the pensioner at the date of his retirement.

*(2) Subsection (1) does not apply in respect of service in the reserve forces unless the service is for a full-time continuous period in excess of six months during which period the pensioner received the pay of his rank as though he were in the forces. 1952, c. 310, s. 4(4).

Regulations by Governor in Council.

**61.** The Governor in Council may, on the recommendation of the Treasury Board, make regulations,

(*a*) prescribing the rates of allowances in respect of any rank which shall constitute part of pay and allowances of the rank for the purposes of this Part;

(*b*) prescribing the method of computation of an annual pension authorized by this Part;

(*c*) prescribing the conditions on which the compensation of a member of the forces who is seconded from the force of which he is a member may be deemed to be pay and allowances for the purpose of paragraph (*g*) of subsection (1) of section 45;

(*d*) prescribing the cases in which pension shall be payable otherwise than in monthly instalments;

(*da*) respecting the determination, for the purposes of subsection (2a) of section 48, of the amount of the contributions required by this Part in respect of any service described in that subsection; 1956, c. 28, s. 24.

(*db*) respecting the medical examination of contributors for the purposes of subsection (6) of section 48; 1955, c. 28, s. 24.

(*e*) prescribing the nature and form of the accounts to be kept of income and disbursements under this Part and of the statement to be laid before Parliament by the Minister;

(*f*) providing for the transfer to the account set up under this Part of amounts, if any, credited in respect of contributions of the contributor under this Part made under any other Part or under the *Civil Service Superannuation Act* or the *Royal Canadian Mounted Police Act;*

(*g*) prescribing whether and to what extent and under what conditions any period of absence from duty shall be counted as service for the purpose of computing pensions and gratuities and the pay and allowances of which a contributor during such period of absence shall be deemed to have been in receipt for the purpose of computing contributions and average pay and allowances under this Part;

**(*h*) prescribing the extent to which and the manner in which a contributor,

*NOTE.—1956, c. 18, s. 3(2) provides as follows:
"(2) Subsection (2) of section 60 of the *Defence Services Pension Act,* as in force immediately prior to the coming into force of this Act, and section 52 of *The Defence Services Pension Act,* as enacted by section 12 of chapter 32 of the statutes of 1950, shall be construed as though the reference therein to "warrant officer" always included a reference to "chief petty officer 1st class or 2nd class", except that in their application to such chief petty officers those provisions shall be construed to apply only to payments of pension, salary or pay and allowances that accrued after the coming into force of this Act."

**NOTE.—1955, c. 28, s. 25 provides as follows:
"25. Paragraph (h) of section 61 of the said Act is applicable in respect of any contributor therein described whether or not that contributor was employed in the public service of Canada or was a member of the naval, army or air forces of Canada upon the coming into force of that paragraph, and any regulations made pursuant to that paragraph shall, if the Governor in Council so directs, be deemed to have become effective on such date, subsequent to the 30th day of June, 1950, as the Governor in Council determines."

who after retirement from the forces, is appointed to the public service of Canada or is appointed to or enlisted in the naval, army or air forces of Canada, may count that additional service for the purpose of computing pension;

(*i*) providing that service in any of the forces of Newfoundland and service prior to the 1st day of April, 1949, with the Government of Newfoundland, may be included for the purpose of making contributions and of computing pensions and gratuities under this Part;

New. 1953-54, c. 13, s. 6.

(*ia*) providing for payment out of the Permanent Services Pension Account in the Consolidated Revenue Fund, upon the death of a contributor, while a member of the forces or while in receipt of a pension payable under this Part, and upon application to the Minister by or on behalf of any successor thereunder to whom any pension becomes payable under this Part, of the whole or any part of such portion of the succession duties payable by that successor as is determined in accordance with the said regulations to be attributable to that pension, and prescribing the amount by which and the manner in which any such pension shall be reduced; and 1955, c. 28, s. 24.

(*j*) for any other purpose deemed necessary to give effect to the provisions of this Part. 1946, c. 59, s. 6; 1950, c. 32, s. 13.

Payment of benefit when pensioner incapable or is not maintaining family.

**62.** (1) Where a pension or gratuity is payable under this Part to any person and the Canadian Pension Commission is of the opinion that he is incapable of expending or is not expending the annual pension or gratuity in a proper manner, or that he is not maintaining the members of his family to whom he owes the duty of maintenance, the Minister may order that the pension or gratuity or any part thereof may be paid to such other person as the Canadian Pension Commission may recommend, in order that the pension or gratuity or any part thereof may be expended for the benefit of the person to whom it is payable and members of his family to whom he owes the duty of maintenance.

Treasury Board may discontinue payment in certain cases.

(2) Where a contributor to whom a pension is payable under this Part is convicted of an indictable offence, committed by him while in the forces, if it appears to the Treasury Board that the commission of the offence constituted a failure by the contributor to render good and faithful service while in the forces, the Treasury Board may direct that payment of the pension be discontinued or that the whole or any part thereof be paid to persons dependent upon the contributor for support.

Appeal.

(3) Where the Treasury Board makes any direction under this section, if the contributor claims that the direction was not warranted by this section and gives notice of his claim to the Minister of Justice within thirty days after being notified of the direction, the Minister of Justice shall refer the claim to the Exchequer Court of Canada for determination as to whether the direction was so warranted. 1946, c. 59, s. 6; 1950, c. 32, s. 14.

Offence.

**62A.** Any person who knowingly makes any statement or gives any information that is false in any material particular for the purpose of obtaining, either for himself or for any other person, any payment under this Part is guilty of an indictable offence and is liable to imprisonment for a term not exceeding one year or to a fine not exceeding one thousand dollars, or to both such fine and imprisonment. 1955, c. 28, s. 26.

Moneys part of Con. Rev. Fund.

**63.** (1) The moneys received under the provisions of this Part shall form part of the Consolidated Revenue Fund and the moneys payable under the said provisions shall be paid out of the Consolidated Revenue Fund.

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(2) There shall be kept a Special Account in the Consolidated Revenue Fund to be known as the Permanent Services Pension Account, of all moneys received or paid as provided in subsection (1) and there shall be added to the said Account annually an amount representing interest, at such rate and calculated in such manner as the Governor in Council may by regulation prescribe, on the amount to the credit of the Account. 1946, c. 59, s. 6.

Permanent Services Pension Account.

**64.** Every contributor is entitled, in making a return of his income for purpose of taxation on or in respect of income under any Act of the Parliament of Canada, to deduct from his pay and allowances the amount of the contributions reserved from his pay and allowances during the taxable year and paid into the Consolidated Revenue Fund under the provisions of this Part. 1946, c. 59, s. 6.

Income Tax returns.

Contributions deducted.

**65.** (1) The Minister shall lay before Parliament within fifteen days after the commencement of each session

Annual statements to Parliament.

(*a*) a statement showing the number of pensions and gratuities paid to contributors, widows, children and other dependants under this Part during the preceding fiscal year, and

(*b*) a statement showing the amount received as current and arrears of contributions and the total amount paid as pensions and gratuities together with such other information as may be prescribed by the Governor in Council under this Part.

(2) An actuarial valuation of the Permanent Services Pension Account shall be made once every five years and a report shall be laid before Parliament within fifteen days after the commencement of the session next after the completion of the actuarial valuation estimating to what extent the assets of the fund are sufficient to meet the benefits payable under this Part. 1950, c. 32, s. 15.

**66.** Where a member of the forces elects to become a contributor under this Part he shall thereupon be deemed to have waived his right to any payment under any other Part and the amount of any contributions that he had made under any Part shall be transferred to the Permanent Services Pension Account kept under this Part and shall be deemed to be the contribution required under this Part in respect of the service for which such contributions were made. 1946, c. 59, s. 6.

Transfer of contributions.

**67.** A female contributor who resigns or is compulsorily retired from the forces by reason of her marriage shall be deemed to have retired voluntarily. 1950, c. 32, s. 16.

Female contributor who resigns or is retired because of her marriage.

**68.** (1) Any debit balance in the pay account of a former member of the forces may be recovered from any pension or gratuity to which he is entitled under this Part or from any amount that becomes payable under this Part to his service estate, whether such debit balance existed in his pay account on the date of his retirement or is ascertained subsequently thereto.

Recovery of debit balance in pay account of former member.

Rep. and New. 1953-54, c. 13, s. 7.

(2) Recovery of a debit balance pursuant to this section shall be effected in such manner and to such extent as the Governor in Council by regulation prescribes, but, in the case of a former member of the forces who is entitled to a pension or gratuity under this Part, recovery shall not be effected unless notice of the existence of the debit balance and the amount thereof is given to him, or is forwarded by registered mail addressed to him at his last known address. 1956, c. 18, s. 4.

Idem.

## REGULATIONS—DEFENCE SERVICES PENSION ACT—PARTS I TO IV

*(Approved by Order in Council PC 1955—1636 of 3 Nov 55)*

*Short Title and Application*

**1.** These regulations are applicable only to Parts I to IV of the Defence Services Pension Act and may be cited as the *Defence Services Pension Parts I to IV Regulations.*

*Interpretation*

**2.** In these regulations,

(*a*) "Act" means the Defence Services Pension Act;

(*b*) "a (f) Ultimate Table" means the table so entitled appearing in the "Mortality of Annuitants 1900-1920" published on behalf of the Institute of Actuaries and The Faculty of Actuaries in Scotland, 1924;

(*c*) "annuity" means an annuity immediate or deferred, or annual allowance, computed in accordance with the Public Service Superannuation Act;

(*d*) "augmenting service" means any period, subsequent to the grant of a pension, of continuous full-time paid service of one year or more

(i) in the forces,

(ii) in the naval, army or air forces of Canada other than the forces if during such period the officer or man receives the pay of his rank as though he were in the forces, and

(iii) in the public service, in respect of which he is not entitled to an annuity;

(e) "forces" means the regular forces, and includes the forces known, prior to the coming into force of Part II of the National Defence Act, as the Royal Canadian Navy, the Canadian Army Active Force, the Permanent Active Militia, the Permanent Militia Corps, the permanent staff of the Militia, the Royal Canadian Air Force (Regular) and the Permanent Active Air Force;

(*f*) "Minister" means the Minister of National Defence;

(*g*) "Parts I to V" means the respective Parts of the Act;

(*h*) "pension" means a pension granted, pursuant to any of Parts I to III of the Act, to a person in respect of his service;

(*i*) "pensioner" means a person to whom a pension has been granted; and

(*j*) "public service" means all branches or portions of the public service of Canada to which the Public Service Superannuation Act is applicable.

*Service For Computing A Pension*

**3.** (1) For the purpose of computing a pension in respect of an officer, other than a pensioner, "service", in addition to any periods specified in Parts I to III, includes any continuous period of full-time service of six months or more in the naval, army or air forces of Her Majesty raised in Canada other than the forces, if

(*a*) during such period he received the pay of his rank as though he were in the forces as defined in such Part, and

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(*b*) he is otherwise eligible for a pension under any of Parts I to III,

but that service may not be counted as service under any other provision of any such Parts, except to the extent prescribed by paragraph (*e*) of section 7, subparagraph (ii) of paragraph (*e*) of section 36, or subparagraph (iii) of paragraph (*d*) of section 40, for the purpose of determining eligibility for pension.

(2) Where a person, prior to the war which commenced on the 10th day of September, 1939, served as an officer in the Royal Canadian Air Force other than the Permanent Active Air Force, for a continuous period of full-time service for six months or more, but did not receive the pay of his rank as though he were in the forces, and subsequently served on active service during that war and during such period of full-time service received remuneration by way of pay, or pay and allowances, according to the service regulations applicable to his appointment, then in that case, such continuous period of full-time service shall be included for the purpose of making contributions and, of computing a pension to which he may be entitled under Parts I to III of the Act.

*Augmentation of Pension*

**4.** (1) A pensioner serving on a full-time paid basis in the forces or in the naval, army or air forces of Canada other than the forces, if receiving the pay of his rank as though he were in the forces, may elect within one year of the commencement of that full-time paid service or within six months of the coming into force of these regulations, whichever is the later,

(*a*) to count for the purpose of computing his pension the whole augmenting service performed subsequent to the said commencement and during that service and upon the making of that election

(i) entitlement to the whole or that part of the pension to which he is otherwise entitled during that service, or the gratuity to which he would otherwise become entitled in respect of that service, shall terminate, and

(ii) he shall repay the whole or that part of the pension he may have received during that service, in the manner hereinafter provided; and

(*b*) to count for the purpose of computing his pension the whole or any part not less than one year of any period of augmenting service he may have performed subsequent to the grant of his pension but prior to the commencement of his current full-time paid service provided he

(i) makes an election pursuant to paragraph (a), and

(ii) repays the whole or that part of the pension he may have received during that augmenting service or the gratuity he may have received in respect of that augmenting service, in the manner hereinafter provided.

(2) Every election made by a pensioner under this section shall be evidenced in writing, in the form prescribed by the Minister, and witnessed, and the original thereof shall be forwarded to a person designated by the Minister for the purpose, by registered mail or in such other manner as the Minister directs, within one month of making the election.

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**5.** (1) A pensioner, who has elected to count augmenting service pursuant to paragraph (*a*) of subsection (1) of section 4 and receives pension payments during that augmenting service, shall repay the payments in one sum or by reservation from pay and allowances or otherwise, without interest, in equal instalments over a period similar to that during which the said payments were made to him, such instalments to commence on the expiration of the month next following the date of his election, except that no repayment is required for a period when the pensioner's pay and allowances are reduced by the amount of the gross pension paid, pursuant to relevant pay regulations.

(2) A pensioner, electing to count the whole of that augmenting service pursuant to paragraph (*b*) of subsection (1) of section 4 and in respect of which he has been paid a gratuity, or during that service has received pension payments, shall repay an amount equal to the gratuity or pension payments received by him during that service, together with simple interest at the rate of four per centum per annum from the date of payment of that gratuity or pension payments to the date of his election under that section, and where the pensioner has elected to count part of that augmenting service, the repayment required in respect of that part shall be the proportion of the said amount that the part is of the whole of his augmenting service, except that no repayment is required for a period when the pensioner's pay and allowances are reduced by the amount of the gross pension paid, pursuant to relevant pay regulations.

(3) The repayment required by subsection (2) may be made in one sum or in instalments equivalent in value to the total amount of the arrears, payable by reservation from pay and allowances or otherwise, for life, or for a period of years or for life whichever is shorter, to commence on the expiration of the month next following the date of the election, the said instalments to be computed as to mortality and interest on the basis of the Canadian Life Tables No. 2 (1941), Males or Females, as the case may be, with interest at the rate of four per centum per annum.

(4) Where a periodic scheme of payment is in effect under this section, the pensioner may at any time elect to settle any amount outstanding by one sum or to arrange to pay that amount by instalments over a shorter period.

**6.** (1) The whole of the elected augmenting service of a pensioner granted his original pension as an officer shall be subject to deductions in the following manner:

(*a*) in respect of that part of augmenting service which the pensioner performs subsequent to the date of his election, a deduction shall be made from his pay at the rate and in the manner set out in section 47 of the Act, and

(*b*) in respect of that part of elected augmenting service which the pensioner performed prior to the making of the election required by section 4, the whole of that augmenting service shall be subject to deductions,

(i) where it is non-contributory augmenting service, to the same extent and in the manner as if that augmenting service were prior non-contributory service under Part V and the election made to count that augmenting service were made under sub-section (1) of section 48 of the Act and regulations relating thereto, and

(ii) where it is contributory service and deductions or contributions have been

made under the Act, the Public Service Superannuation Act, or the Civil Service Superannuation Act, or deferred pay deductions have been made from his pay and allowances, pursuant to pay regulations applicable to his service, and

(A) those deductions or contributions have not previously been repaid to him by way of gratuity or otherwise, such deductions or contributions shall be deemed to be the deductions required by this section in respect of the period of service for which the deductions or contributions were made, or

(B) those deductions or contributions have previously been repaid to him by way of gratuity or otherwise, to the same extent and in the manner as if that augmenting service could be counted as service under subsections (3) and (4) of section 56 of the Act and regulations relating thereto.

(2) The sums required by this section shall

(a) where deductions are made, be paid into the Consolidated Revenue Fund, or

(*b*) where transfers are applicable, be debited to the appropriate account and credited as revenues of Canada.

**7.** Where a pensioner, contributing for elected augmenting service by way of repayment by instalments any amount required by section 5 or by way of making the deductions required by section 6, ceases to serve on augmenting service before payment of those instalments or deductions have been made in full, he shall be deemed to have contributed in respect of the augmenting service for which he elected and the remaining instalments or deductions shall be reserved out of his pension.

**8.** (1) Subject to subsections (2) and (4), a pensioner upon ceasing to serve on augmenting service referred to in subsection (1) of section 4 for any reason other than inefficiency or misconduct, shall have his pension computed for the term of service upon which his pension was originally based, together with the augmenting service pursuant to section 4 (the whole term hereinafter referred to in this section as "the pensionable term") in the following manner:

(*a*) where he was granted a pension as a militiaman and subsequently serves the whole or any part of his augmenting service elected pursuant to paragraph (*a*) of subsection (1) of section 4 as a militiaman or an officer

(i) if the original term of service is less than twenty years, by one-fiftieth of the average annual pay and allowances during the last six years of the augmenting service elected pursuant to paragraph (*a*) of subsection (1) of section 4 for each year of "the pensionable term",

(ii) if the original term of service is twenty but less than twenty-five years, by twenty-fiftieths of the average annual pay and allowances during the last six years of the augmenting service elected pursuant to paragraph (*a*) of subsection (1) of section 4 with an addition of two-fiftieths of the said average pay and allowances for every year over twenty years of the

original term and one-fiftieth of the said average pay and allowances for every year of augmenting service that the pensioner has elected to count, or

(iii) if the original term of service is twenty-five years or over by thirty-fiftieths of the average annual pay and allowances during the last six years of the augmenting service elected pursuant to paragraph (*a*) of subsection (1) of section 4 with an addition of one-fiftieth of the said average pay and allowances for every year of service over twenty-five years of the original term and of the augmenting service that the pensioner elected to count;

(*b*) where he was granted a pension as an officer and subsequently serves the whole or any part of his augmenting service elected pursuant to paragraph (*a*) of subsection (1) of section 4 as an officer or militiaman by one-fiftieth of the average annual pay and allowances during the last six years of the augmenting service elected pursuant to paragraph (*a*) of subsection (1) of section 4 for every year of the pensionable term;

(*c*) where the period of augmenting service elected pursuant to paragraph (*a*) of subsection (1) of section 4 is less than six years, then for the purpose of computation under this section there shall be added to that augmenting service such number of months of his service performed immediately prior to retirement on pension as will, together with that augmenting service, make up a period of six years;

(*d*) notwithstanding anything contained in paragraphs (*a*) and (*b*), the pension of a pensioner who was granted a pension

(i) as an officer, shall not be computed on a number of years in excess of thirty-five, or

(ii) as a militiaman, shall not exceed two-thirds of the average annual pay and allowaces received during the last three years of the term of service upon which his pension was originally based.

(2) A pensioner, where he has been granted a pension

(*a*) as an officer, whether he serves the whole or any part of his augmenting service as an officer or as a militiaman shall have that pension computed, as provided in subsection (1), as an officer, or

(*b*) as a militiaman, whether he serves the whole or any part of his augmenting service as a militiaman or as an officer shall have that pension computed, as provided in subsection (1), as a militiaman,

provided that the Minister is satisfied, in the case of (*a*) and the Board composed of three officers, as provided in section 15 of the Act, certify, in the case of (*b*), that the circumstances of service and the cause of ceasing to serve on the augmenting service elected pursuant to paragraph (*a*) of subsection (1) of section 4 are such as would give rise to entitlement to the grant of a pension if the pensioner were otherwise qualified.

(3) Where a pensioner has been granted a pension as an officer and dies while performing augmenting service or dies while in receipt of a pension computed on the pensionable term, his widow may be granted a pension computed on the pensionable term and each of his children a compassionate allowance, to the extent that they are otherwise qualified under the Act.

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(4) Subject to paragraph (*d*) of subsection (1), where the amount of a pension computed in accordance with subsection (1) is less than the total amount of the original pension increased by one-fiftieth of the average annual pay and allowances received during the augmenting service for each year of the augmenting service, then in lieu of entitlement to a pension computed pursuant to subsection (1), a pensioner shall be entitled to an annual pension equal to the latter amount or the original pension, whichever is the greater.

*Absence from Duty or Secondment*

**9.** (1) Subject to subsections (4) and (5), a pensioner who was granted a pension as an officer and who is absent from duty for any purpose including absence on leave without pay and allowances, or secondment where he performs continuous full-time service or employment and receives emoluments by way of pay and allowances, salary or otherwise for that service or employment, shall contribute to the Consolidated Revenue Fund in respect of any period during which he is so absent, by making payments in accordance with subsection (2) and that period shall be counted as service for the purposes of section 8 as being augmenting service.

(2) The contributions required to be paid by a pensioner to whom subsection (1) applies shall be payable

(*a*) where the period does not exceed ninety-two days, monthly, by means of a debit to his pay account, or

(*b*) where the period exceeds ninety-two days, by monthly remittances in favour of the Receiver General of Canada.

(3) When any amount payable under this section by a pensioner who was granted a pension as an officer is unpaid at the time of his retirement, that amount shall be reserved out of any pension that is payable under the Act to the pensioner by reservation out of any pension in equal instalments for a period equal to that period during which no contributions were made by him as required.

(4) A continuous period of absence from duty in excess of sixty days in respect of a pensioner, whether granted a pension as an officer or militiaman, where

(*a*) a forfeiture of pay and allowances is imposed,

(*b*) a deduction in an amount equal to the whole of the pay and allowances withheld is imposed by reason of suspension from duty,

(*c*) a continuous combination of periods described in (*a*) and (*b*), or

(*d*) he is on leave without pay and allowances,

shall not be counted as augmenting service and no contributions shall be required in respect of that period, but such period shall not break the continuity of augmenting service.

(5) A pensioner who was granted a pension as an officer and who has been absent from duty may elect within thirty days of the expiration of his absence from duty not to contribute in respect of that absence, in which case that period of absence shall not be counted as augmenting service and no contributions shall be required under this section in respect of that period.

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**10.** For the purpose of making deductions and computing a pension in respect of augmenting service to be counted pursuant to section 9, the pensioner shall be deemed to have been in receipt of pay and allowances during a period of absence from duty or secondment at the same rate as that which was prescribed for the rank or appointment held by him at the commencement of the period, except that

(*a*) if during that period his rate of pay and allowances is increased or decreased for any reason, then such rate from the date it became effective shall be deemed to be the pay and allowances of which he was in receipt, or

(*b*) if during a period of secondment the pensioner does not receive pay and allowances according to the appropriate regulations in effect from time to time for his service, the rate of pay and allowances he shall be deemed to receive shall be as determined by Treasury Board.

**11.** (1) Notwithstanding any of the provisions contained in sections 4 to 10 a pensioner shall be deemed not to have elected to count augmenting service where

(*a*) he ceases to serve on a full-time paid basis in the forces or in the naval, army or air forces of Canada other than the forces prior to completion of a period of augmenting service, as described in paragraph (*a*) of subsection (1) of section 4, or

(*b*) he is not entitled to have his pension computed upon the pensionable term pusuant to subsection (1) of section 8.

(2) Where the provisions of subsection (1) are applicable, all sums deducted from the pay and allowances of a pensioner or paid by him by reason of the provisions of sections 4 to 10 inclusive shall be refunded to him without interest or shall be applied, where applicable, towards the abatement of any deductions owed by the pensioner where by reason of the provisions of subsection (1) he becomes subject to deductions pursuant to Deferred Pay Regulations or Part V and regulations relating thereto other than sections 4 to 9 inclusive and his entitlement to pension payments shall be restored retroactively to the date of election as if he had never elected.

*Succession Duties*

**12.** (1) In this section, "pension" means an annual pension payable under the Act to a widow or child and includes a compassionate allowance payable to a child.

(2) For the purposes of this section, where, under the Act, a pension is payable to a child, the widow of the person in respect of whom that pension is payable to that child is presumed, *prima facie*, to be the guardian of that child.

(3) Where, upon the death of any person in respect of whom any pension becomes payable under Parts I to III of the Act to a successor, application in writing may be made, by or on behalf of the successor, to the Minister for payment out of the Consolidated Revenue Fund of the whole or any part of the portion of the succession duties payable by that successor which is attributable to that pension, and where the Minister directs, in accordance with the application, that the whole cr any part of the portion of the succession duties so payable shall be paid out of the Consolidated Revenue Fund, the maximum portion of the succession duties that may be so paid is the proportion which

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(*a*) the value of the pension payable to the successor

is of

(*b*) the value of the whole estate,

calculated for the purposes of determining the succession duties payable in respect thereof.

(4) Where the Minister makes a direction in accordance with subsection (3), the pension shall be reduced either for a term, requested by the successor in the application made under subsection (3), or during the entire period for which the pension is payable, if the successor fails to make a request in the application under subsection (3) that the pension be reduced for a term, by one-twelfth of an amount determined by dividing the amount of the succession duties to be paid out of the Consolidated Revenue Fund by the value of an annuity of one dollar per annum, payable monthly to a person of the age of the successor at the date of payment of the succession duties out of the Consolidated Revenue Fund calculated,

(*a*) in the case of a pension payable to the widow of the person in respect of whose death the pension is payable, in accordance with a (*f*) Ultimate Table with interest at the rate of four per centum per annum, and

(*b*) in the case of a pension payable to a child of the person in respect of whose death the pension is payable, at an interest rate of four per centum per annum and mortality shall not be taken into account.

(5) Where the pension of a successor is to be or is being reduced under this section for a term and the successor, being the widow of a former officer, remarries before the end of the term and the pension is suspended, if at any time the pension is resumed it shall be reduced for a term equal to the term or the balance of the term, as the case may be, during which the pension would have been reduced had it not been suspended and such reduction shall be made to the same extent and in the same manner as the pension was reduced immediately prior to the suspension.

(G) (PC 1955—1636 of 3 Nov 55) (3 Nov 55)

## REGULATIONS—DEFENCE SERVICES PENSION ACT—PART V

*(Approved by Order in Council PC 1955—1636 of 3 Nov 55)*

*Short Title and Application*

**1.** These regulations are applicable only to Part V of the Defence Services Pension Act and may be cited as the *Defence Services Pension Part V Regulations.*

*Interpretation*

**2.** In these regulations,

(*a*) "Act" means the Defence Services Pension Act;

(*b*) "a (*f*) Ultimate Table" means the table so entitled appearing in the "Mortality of Annuitants 1900—1920" published on behalf of the Institute of Actuaries and The Faculty of Actuaries in Scotland, 1924;

(*c*) "annuity" means an annuity, immediate or deferred, or annual allowance payable in accordance with the Public Service Superannuation Act;

(*d*) "gratuity" means a payment of an amount equal to one month's pay and allowances for each year of service, pursuant to the Act or pay regulations, or an equivalent benefit pursuant to the Civil Service Superannuation Act, the Public Service Superannuation Act, or the Royal Canadian Mounted Police Act;

(*e*) "Minister" means the Minister of National Defence;

(*f*) "Parts I to V" mean the respective Parts of the Act;

(*g*) "pension" means a pension granted, pursuant to Part V, to a person in respect of his service;

(*h*) "pensioner" means a person to whom a pension has been granted; and

(*i*) "public service" means all branches or portions of the public service of Canada to which the Public Service Superannuation Act is applicable.

*Rates of Allowances*

**3.** The rates of allowances which shall constitute part of pay and allowances for the purposes of Part V shall, according to the rank of the contributor, be the following monthly rates:

| | Not in Receipt of Marriage Allowance | In Receipt of Marriage Allowance |
|---|---|---|
| Rear-Admiral<br>Major-General<br>Air Vice-Marshal | $172.00 | $212.00 |
| Commodore<br>Brigadier<br>Air Commodore | 160.00 | 200.00 |

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| | Not in Receipt of Marriage Allowance | In Receipt of Marriage Allowance |
|---|---|---|
| Captain<br>Colonel<br>Group Captain | 146.00 | 186.00 |
| Commander<br>Lieutenant-Colonel<br>Wing Commander | 133.00 | 173.00 |
| Lieutenant-Commander<br>Major<br>Squadron Leader | 120.00 | 160.00 |
| Lieutenant<br>Captain<br>Flight Lieutenant | 101.00 | 157.00 |
| Sub-Lieutenant<br>Lieutenant<br>Flying Officer | 96.00 | 157.00 |
| Acting Sub-Lieutenant and Naval Cadet<br>Second Lieutenant and Officer Cadet<br>Pilot Officer and Flight Cadet | 72.00 | 138.00 |
| Midshipman | 68.00 | 138.00 |
| Commissioned Officer (RCN) | 101.00 | 157.00 |
| Chief Petty Officer 1st Class<br>Warrant Officer Class 1 (Army and Air Force) | 99.00 | 139.00 |
| Chief Petty Officer 2nd Class<br>Warrant Officer Class 2 (Army and Air Force) | 96.00 | 136.00 |
| Petty Officer 1st Class<br>Staff Sergeant<br>Flight Sergeant | 96.00 | 136.00 |
| Petty Officer 2nd Class<br>Sergeant | 87.00 | 136.00 |
| Leading Seaman, Corporal and Ranks below | 76.00 | 136.00 |

*Defence Services Pension Act—Regulations—Part V*

*Contributions*

**4.** Contributions by way of reservations from pay and allowances shall commence from the date on which a person becomes subject to Part V.

**5.** A person who makes contributions under Part V and is subsequently found not to be eligible to be a contributor under that Part shall have all such contributions repaid to him without interest.

*Arrears of Contributions*

**6.** For the purpose of computing interest on arrears of contributions, pursuant to section 48 of the Act, the total pay and allowances received by a contributor during any fiscal year shall be deemed to have been received on the first day of October of that fiscal year.

**7.** The total amount of arrears of contributions payable pursuant to sections 48 and 56 of the Act, may be paid in instalments equivalent in value to the total amount of arrears, computed on the basis of the Canadian Life Table No. 2 (1941), Males or Females, as the case may be, with interest at the rate of four per centum per annum.

**8.** (1) A contributor or a former contributor in respect of whom a periodic scheme of payment of arrears of contributions is in effect, may, at any time, elect to pay those arrears in one sum or in instalments equivalent in value to the arrears, over a shorter period.

(2) Where the amount of the arrears of contributions, as verified by the service authorities, is greater than the amount set out in the provisional computation submitted by the contributor, the contributor may elect, but only once, to pay the unpaid portion of the verified arrears

(*a*) if he has originally elected to pay the arrears in one sum, then either in one sum or in instalments equivalent in value to the total amount of arrears; or

(*b*) if he has originally elected to pay the arrears by instalments, then by instalments equivalent in value to the total amount of the arrears, over a longer period, provided that

(i) he has made his further election prior to acknowledging as correct the amount of the arrears, as verified by the service authorities, or

(ii) he has, prior to the first day of September, 1950, acknowledged as correct the amount of the arrears, as verified by the service authorities.

(3) Where, under this section, a contributor has elected to pay arrears of contributions under a periodic scheme of payment, the required instalments shall be computed as prescribed by section 7 provided, however, that the amount of such instalments shall not be reduced more than five per centum of the amount elected to be paid in the provisional computation submitted by the contributor.

**9.** (1) The amount of contributions made by a contributor in respect of a period of service under any other Part of the Act, the Civil Service Superannuation Act, the Public Service Superannuation Act or the Royal Canadian Mounted Police Act (other than Part IV thereof), shall be transferred to the Permanent Services Pension Account

and shall, if it constituted the full contribution required thereunder and no annuity, gratuity or other benefit has been paid in respect of that period of service, be deemed to be the appropriate contribution for that period for the purposes of Part V.

(2) Where the contributions transferred to the Permanent Services Pension Account in accordance with subsection (1) do not constitute the full contributions required in respect of that period of service, the contributor shall pay the balance either in one sum or in instalments computed as prescribed by section 7.

**10.** A contributor who has service for which he made contributions under any Part of the Act, the Civil Service Superannuation Act, the Public Service Superannuation Act or the Royal Canadian Mounted Police Act (other than Part IV thereof) and has been paid a benefit, in respect of that service, equal only to the amount of his total contributions may elect to count that service and the contributions required shall be the same as if section 11 were applicable.

**11.** (1) A contributor who had service for which he made contributions under any Part of the Act, the Civil Service Superannuation Act, the Public Service Superannuation Act or the Royal Canadian Mounted Police Act (other than Part IV thereof) and in respect of that service has been paid a gratuity, may elect to count the whole or any part of such service for the purpose of Part V.

(2) In the event a contributor elects to count the whole period of service described in subsection (1), the contribution shall be an amount equal to the gratuity received by the contributor together with simple interest at four per centum per annum from the date of payment of the gratuity to the date of election to count that period of service.

(3) In the event a contributor elects to count a part of the period of service described in subsection (1), the contribution shall be that proportion of the total gratuity and interest of which the part elected is of the whole of the service.

(4) The amount of the contributions required under this section may be paid in one sum or in instalments computed as prescribed by section 7.

**12.** A contributor who immediately prior to becoming a contributor under Part V has service in the forces as an officer appointed temporarily or under a commission for a fixed term, may have such service counted for the purpose of computing a pension or gratuity under Part V if

(*a*) the amount of deferred pay at the rate of six per centum of the pay and of the allowances prescribed by section 3 withheld in accordance with the appropriate Pay and Allowance Regulations is transferred to the Permanent Services Pension Account as contributions for such service, and

(*b*) the amount of any gratuity paid in respect of such service under Pay and Allowance Regulations is refunded by the contributor.

**13.** (1) A contributor other than a contributor to whom section 12 applies who prior to becoming a contributor under Part V had service in the forces as an officer appointed temporarily or under a commission for a fixed term and who on termination of such service was paid under the appropriate Pay and Allowance Regulations an amount

equal to the amount of the deferred pay deducted or a gratuity or both, may have such service counted for the purpose of computing a pension or gratuity under Part V if

(*a*) he contributes the amount of deferred pay previously refunded to him, together with simple interest at four per centum per annum for the period from the date of refund of such deferred pay to the date of his election to count such service under subsection (4) of section 56 of the Act, and

(*b*) the amount of any gratuity paid under the provision of Pay and Allowance Regulations is refunded to the Receiver General together with simple interest at four per centum per annum for the period from the date of payment to the date of election to count such service under the provisions of subsection (4) of section 56 of the Act.

(2) The payment required under subsection (1) may be made in one sum or in instalments as prescribed by section 7.

**14.** A contributor who, pursuant to subsection (1) of section 48 of the Act, elects to contribute in respect of service in the naval, army or air forces of His Majesty other than those raised in Canada, as described in subparagraph (iii) of paragraph (i) of subsection (1) of section 45 of the Act shall, for the purposes of Part V, be deemed to have received pay for the rank or ranks held by him during that service at the basic rates prescribed by the relevant Canadian pay regulations together with the allowances set out in section 3 for the equivalent rank or ranks held by him during that service, in effect at the date of his election.

**15.** (1) A contributor who pursuant to subsection (1) of section 48 of the Act elects to contribute in respect of service as described in subparagraphs (i) and (ii) of paragraph (i) of subsection (1) of section 45 of the Act shall for the purposes of Part V have his contributions, interest, pension and gratuity computed on the following emoluments:

(*a*) in respect of time served in the civil service, subject to section 20, the same emoluments as those on which contributions would have been required to be made under the Civil Service Superannuation Act, or the Public Service Superannuation Act;

(*b*) in respect of time served in the Royal Canadian Mounted Police, the same emoluments as those on which pension under the Royal Canadian Mounted Police Act would have been calculated had the contributor by reason of his service in the Royal Canadian Mounted Police, become eligible for a pension under the Royal Canadian Mounted Police Act;

(*c*) in respect of time served on active service in the naval, army or air forces of His Majesty raised in Canada during time of war the following and no other active service rates of pay and allowances:

(i) in the case of service with the naval forces, pay of rank or rating, command money, specialist pay, non-substantive pay, staff pay and marriage and dependents' allowances for wives and dependent children and subsistence allowance at standard rates payable in respect of service in Canada whether or not such last mentioned allowance was in fact paid;

(ii) in the case of service with the army, pay of rank, classified rates of pay, consolidated pay, command pay, trades pay, additional pay while extra regimentally employed and marriage and dependents' allowances for wives and dependent children and subsistence allowance at standard rates payable in respect of service in Canada whether or not such last mentioned allowance was in fact paid; and

(iii) in the case of service with the air force, either consolidated pay, classified rates of pay or pay of rank and group (excluding the difference between General List and Non-Flying rates of pay, when General List rates of pay were in issue), and command pay and headquarters pay and marriage and dependents' allowances for wives and dependent children and subsistence allowance at standard rates payable in respect of service in Canada whether or not such last mentioned allowance was in fact paid.

(2) The amount of contributions required of a contributor in respect of service for which he elects under subsection (2a) of section 48 of the Act is as follows:

(*a*) if he was a contributor immediately prior to the coming into force of this subsection, having served continuously in the forces from that date to the date of election, and the election is made within one year of the coming into force of this subsection; or

(*b*) if he was a former contributor prior to the coming into force of this subsection to whom paragraph (*a*) did not apply and the election is made within one year of his first becoming a contributor subsequent to the coming into force of this subsection;

the amount required is an amount equal to the amount he would be required to contribute had he elected under subsection (1) of section 48 of the Act, and

(*c*) if he is not a contributor as described in paragraph (*a*) or (*b*) the amount required is an amount equal to that which he would have been required to contribute had he elected under subsection (1) of section 48 of the Act, but computed on his current rate of pay together with allowances set out in section 3 applicable to his rank.

(3) An èlection in respect of service for which a contributor might have elected to contribute, but for which he failed so to elect in the time prescribed therefor, is an election made under subsection (2a) of section 48 of the Act, notwithstanding that he may have been retired and re-enrolled subsequent to the failure to so elect.

(4) Every medical examination required by subsection (6) of section 48 of the Act shall be undergone by the contributor required to be so examined

(*a*) within such time before or after the making of the election by that contributor as the Minister prescribes; and

(*b*) before a service medical officer or civilian medical practitioner who shall examine him in accordance with the medical standards applicable to his employment and shall certify that the contributor has passed or not passed the medical examination.

*Defence Services Pension Act—Regulations—Part V*

**16.** (1) A contributor who, pursuant to subsection (1) of section 48 of the Act, elects to contribute in respect of service as described in subparagraph (iv) of paragraph (i) of subsection (1) of section 45 of the Act, shall for the purposes of Part V be deemed to have received pay on a full-time basis for the rank or ranks held by him during that service at the basic rates for the equivalent rank or ranks prescribed by the relevant pay regulations, together with the allowances set out in section 3 for the equivalent rank or ranks held by him during that service in effect at the date of his election.

(2) The contribution required for such service shall be one-fourth of the contribution which would have been required if the whole of such service might be counted.

**17.** (1) A contributor who had officer status under Parts I to IV at the date of his election to become a contributor under Part V and who pursuant to subparagraph (v) of paragraph (i) of subsection (1) of section 45 of the Act had service which may be counted as service under any other Part of the Act shall at the date of retirement have fulfilled the conditions required under paragraph (*e*) of section 7 or subparagraph (ii) of paragraph (*e*) of section 36 or subparagraph (iii) of paragraph (*d*) of section 40 of the Act as applicable, in order that such service may be counted as half-time.

(2) A contributor who elects to count service as described in subsection (1) shall contribute for such service on the basis that it may count as half-time rather than one-quarter time in anticipation of his fulfillment of the conditions described in subsection (1).

(3) In the event that at date of retirement a contributor has not fulfilled the conditions of subsection (1), he shall be entitled to a refund of contributions equal to the difference between the amount he contributed and the amount he should have contributed were such service to count as one-quarter time.

(4) This section applies to every contributor who at any time elected to become a contributor under Part V on or before the thirty-first day of December, 1950, notwithstanding that his election may have been made prior to the coming into force of this section.

**18.** (1) A contributor who, pursuant to subsection (1) of section 48 of the Act elects to contribute in respect of service as described in subparagraph (v) of paragraph (i) of subsection (1) of section 45 of the Act, shall for the purposes of Part V have his contributions and interest computed

(*a*) in respect of service described in paragraph (*e*) of section 7, subparagraph (ii) of paragraph (*e*) of section 36 and subparagraph (iii) of paragraph (*d*) of section 40 of the Act,

(i) the pay for the rank or ranks held by him during that service at the basic rates prescribed by the relevant regulations together with allowances set out in section 3 for the rank or ranks held by him during that service at the date of his election,

(ii) the contribution required for one-half of that service shall be one-half of the contribution which would be required if the whole of that service might be counted and the contribution required for any part of that service

less than one-half thereof, shall be that proportion of the said contribution for the said one-half which the said part is of the said one-half;

(b) in respect of service in the 'force' or 'forces' as defined in Parts I, II and III, such of the pay, and allowances in money or in kind, as were paid to or on behalf of the contributor during his said service upon which pension would have been calculated had he become eligible for a pension under Parts I, II and III; and

(*c*) in respect of the service referred to in paragraph (*f*) of section 7, and paragraph (*f*) of subsection (3) of section 13 of the Act, the pay and allowances payable to or on behalf of the contributor for that service.

**19.** A contributor who had service in the forces as described in subsection (2) of section 56 of the Act shall for the purposes of Part V have his pension contributions for that service calculated on the pay and allowances which were payable in money or in kind to or on behalf of the contributor during that service and upon which pension would have been calculated had he become eligible for a pension under Parts I, II and III.

**20.** The contribution required for the period during which a contributor under the Civil Service Superannuation Act, or the Public Service Superannuation Act was absent on leave from the civil service or the public service on active or full-time service in His Majesty's forces shall be computed on the pay and allowances payable to the contributor during the period of that service.

*Absence from Duty or Secondment*

**21.** (1) Subject to subsections (6) and (7), a contributor who is absent from duty for any purpose including absence on leave without pay and allowances or secondment without pay and allowances shall contribute to the Consolidated Revenue Fund in respect of any period during which he is so absent, by making payments in accordance with subsection (2), and that period shall be counted as service for the purposes of computing a pension or gratuity.

(2) The contributions required to be paid by a contributor to whom subsection (1) applies shall be payable

(*a*) where the period does not exceed ninety-two days, monthly by means of a debit to his pay account; or

(*b*) where the period exceeds ninety-two days, by

(i) monthly remittances in favour of the Receiver General of Canada, or

(ii) reservations in equal instalments from his pay and allowances for a period commencing on the expiration of his absence from duty equal to the period during which he was absent from duty.

(3) Notwithstanding anything in this section, a contributor may pay, in one sum, at any time prior to the expiration of the period described in subparagraph (ii) of paragraph (*b*) of subsection (2), the amount payable by him into the Consolidated Revenue Fund in respect of any period he is absent from duty.

(4) Where a contributor, granted a period of absence on leave or secondment as prescribed in subsection (1), has elected to pay arrears of contributions pursuant to section

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48 of the Act by instalments, those instalments shall be paid in the manner set out in subsection (2).

(5) When any amount payable by a contributor under this section is unpaid at the time of his retirement, that amount shall be paid out of any pension or gratuity that is payable under the Act to the contributor

(*a*) in one sum from the gratuity, or

(*b*) by reservation out of any pension in equal instalments for a period equal to that portion of the period described in subparagraph (ii) of paragraph (*b*) of subsection (2) during which no contributions were made by him as required by that subsection.

(6) A continuous period of absence from duty in excess of sixty days in respect of which

(*a*) a forfeiture of pay and allowances is imposed,

(*b*) a deduction in an amount equal to the whole of the pay and allowances withheld is imposed by reason of suspension from duty, or

(*c*) a continuous combination of the periods described in (*a*) and (*b*),

shall not be counted as service for the purposes of computing a pension or gratuity and no contributions shall be deducted in respect of that period.

(7) A contributor who has been absent from duty may elect within thirty days of the expiration of his absence from duty not to contribute in respect of that absence, in which case that period of absence shall not be counted for the purposes of computing a pension or gratuity under the Act and no contributions shall be required under this section in respect of that period.

**22.** For the purpose of making contributions and computing a pension or gratuity in respect of service to be counted pursuant to section 21, the contributor shall be deemed to have been in receipt of pay and allowances during a period of absence from duty or secondment at the same rate as that which was prescribed for the rank or appointment held by him at the commencement of the period, except that

(*a*) if during that period his rate of pay and allowances is increased or decreased for any reason, then such rate from the date it became effective shall be deemed to be the pay and allowances of which he was in receipt, or

(*b*) if during a period of secondment the contributor does not receive pay and allowances according to the appropriate regulations in effect from time to time for his service, the rate of pay and allowances he shall be deemed to receive shall be as determined by Treasury Board.

*Service*

**23.** For the purposes of subparagraph (iii) of paragraph (i) of subsection (1) of section 45 of the Act, time served as described in that subparagraph, on or prior to the 30th day of September, 1947, is included as a period of service.

**24.** (1) Time served as described in subparagraph (vi) of paragraph (i) of subsection (1) of section 45 of the Act, may be included as service if the contributor during that service received the pay of his rank as though he were a member of the forces.

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(2) Where a contributor prior to the war which commenced on the 10th day of September, 1939, served as an officer in the Royal Canadian Air Force other than the Permanent Active Air Force, for a continuous period of full-time service, but did not receive the pay of his rank as though he were in the forces, and subsequently served on active service during that war and during such period of full-time service received remuneration by way of pay, or pay and allowances, according to the service regulations applicable to his appointment, then in that case, such continuous period of full-time service may be included for the purpose of making contributions and computing a pension or gratuity to which he may be entitled under Part V.

(3) The contributions required for a period of service described in subsection (1) or (2) shall be based upon the pay and allowances and emoluments received, respectively, during that period.

*Augmentation of Pension*

**25.** (1) For the purpose of this section and of sections 26 to 32 inclusive, and subject to subsection (4) of section 30 and subsection (2) of this section, "augmenting service" means any period, subsequent to the grant of a pension, of continuous full-time paid service of one year or more

(*a*) in the forces,

(*b*) in the naval, army or air forces of Canada other than the forces if during such period the pensioner receives the pay of his rank as though he were in the forces, and

(*c*) in the public service in respect of which he is not entitled to an annuity.

(2) A pensioner who after being appointed to or enlisted in one of the naval, army or air forces of Canada is seconded pursuant to service regulations or orders shall be deemed to be performing augmenting service if during that secondment he performs continuous full-time service or employment and receives emoluments by way of pay and allowances, salary or otherwise for that service or employment.

(3) Where during a period of service described in subsection (2), a pensioner does not receive pay and allowances according to the appropriate regulations in effect from time to time for his service, the rate of pay and allowances he shall be deemed to receive shall be as determined by Treasury Board.

(4) Where a pensioner described in subsection (3) is required to repay any moneys received by him or any deductions are required by reason of any of the provisions of sections 25 to 32 in respect of augmenting service described in subsection (2), such repayment or deductions shall be made in the manner provided in subsections (2) and (3) of section 21.

**26.** (1) A pensioner serving on a full-time paid basis in the forces or in the naval, army or air forces of Canada other than the forces if receiving the pay of his rank as though he were in the forces, may elect within one year of the commencement of that full-time paid service or within six months of the coming into force of these regulations, whichever is the later,

(*a*) to count for the purpose of computing his pension the whole augmenting service performed subsequent to the commencement and during that service and upon the making of that election

(i) entitlement to the whole or that part of the pension to which he is otherwise entitled during that service, or the gratuity to which he would otherwise become entitled in respect of that service, shall terminate, and

(ii) he shall repay the whole or that part of the pension he may have received during that service, in the manner hereinafter provided; and

(*b*) to count for the purpose of computing his pension the whole or any part not less than twelve continuous months of any period of augmenting service he may have performed subsequent to the grant of his pension but prior to the commencement of his current full-time paid service provided he

(i) makes an election pursuant to paragraph (*a*), and

(ii) repays the whole or that part of the pension he may have received during that augmenting service or the gratuity he may have received in respect of that augmenting service in the manner hereinafter provided.

(2) Every election made by a pensioner under this section shall be evidenced in writing, in the form prescribed by the Minister, and witnessed, and the original thereof shall be forwarded to a person designated by the Minister for the purpose, by registered mail or in such other manner as the Minister directs, within one month of making the election.

**27.** (1) A pensioner, who has elected to count augmenting service pursuant to paragraph (*a*) of subsection (1) of section 26 and receives pension payments during that augmenting service, shall repay the payments in one sum or by reservation from pay and allowances or otherwise, without interest, in equal instalments over a period similar to that during which the said payments were made to him, such instalments to commence on the expiration of the month next following the date of his election, except that no repayment is required for a period when the pensioner's pay and allowances are reduced by the amount of the gross pension paid, pursuant to relevant pay regulations.

(2) A pensioner, electing to count the whole of his augmenting service pursuant to paragraph (*b*) of subsection (1) of section 26 and in respect of which he has been paid a gratuity, or during that service has received pension payments, shall repay an amount equal to the gratuity or pension payments received by him during that service, together with simple interest at the rate of four per centum per annum from the date of payment of that gratuity or pension payments to the date of his election under that section, and where the pensioner has elected part of his augmenting service the repayment required in respect of that part shall be the proportion of the said amount that the part is of the whole of his augmenting service, except that no repayment is required for a period when the pensioner's pay and allowances are reduced by the amount of the gross pension paid, pursuant to relevant pay regulations.

(3) The repayment required by subsection (2) may be made in one sum or in instalments equivalent in value to the total amount of the arrears payable by reservation from pay and allowances or otherwise, for life, or for a period of years or for life whichever is the shorter, to commence on the expiration of the month next following the date of the election, the said instalments to be computed as to mortality and interest on the basis of the Canadian Life Tables No. 2(1941), Males or Females, as the case may be, with interest at the rate of four per centum per annum.

(4) Where a periodic scheme of payment is in effect under this section, the pensioner may at any time elect to settle any amount outstanding by one sum or to arrange to pay that amount by instalments over a shorter period.

**28.** (1) The whole of the elected augmenting service of a pensioner shall be subject to deductions in the following manner:

(*a*) in respect of that part of the augmenting service which the pensioner performs subsequent to making the election required by section 26, reservations shall be made from his pay and allowances as provided in section 47 of the Act,

(*b*) in respect of that part of elected augmenting service which the pensioner performed prior to the making of the election required by section 26, the whole of that augmenting service shall be subject to deductions,

(i) where it is non-contributory augmenting service, to the same extent and in the manner as if that augmenting service were prior non-contributory service under Part V and the election made to count that augmenting service were made under subsection (1) of section 48 of the Act and regulations relating thereto, and

(ii) where it is contributory service and deductions have been made under the Act, the Public Service Superannuation Act, or the Civil Service Superannuation Act, or deferred pay deductions have been made from his pay and allowances, pursuant to pay regulations applicable to his service, and,

(A) those deductions have not previously been paid to him by way of gratuity or otherwise, such deductions shall be deemed to be the deductions required by this section in respect of the period of service for which the deductions were made, or

(B) those deductions have previously been paid to him by way of gratuity or otherwise, to the same extent and in the manner as if that augmenting service could be counted as service under subsection (3) or (4) of section 56 of the Act and regulations relating thereto.

(2) The sums required by this section when deducted shall be paid into, or where applicable transferred to the Permanent Services Pension Account.

**29.** Where a pensioner, contributing for elected augmenting service by way of repayment by instalments any amount required by section 27 or by way of making the deductions required by section 28, ceases to serve on augmenting service before payment of those instalments or deductions have been made in full, he shall be deemed to have contributed in respect of the augmenting service he elected and the remaining instalments or deductions shall be reserved out of his pension.

**30.** (1) Subject to subsection (5), a pensioner who ceases to serve on augmenting service described in paragraph (*a*) of subsection (1) of section 26, shall be entitled to have his pension computed on the term of service upon which his pension was originally based, together with the augmenting service elected pursuant to that section (the whole period hereinafter in this section being called "the pensionable term"),

(*a*) if he was granted his original pension as a man pursuant to section 49 of the Act for any reason other than inefficiency or misconduct and ceases to serve

on augmenting service at his own request, or upon the expiration of the period of augmenting service, or for any of the reasons contained in paragraph (*b*) or (*c*) of that section after performing at least twenty-five years service, in the forces during the pensionable term;

(*b*) if he was granted his original pension as a man pursuant to section 49 of the Act for any reason other than inefficiency or misconduct and ceases to serve on augmenting service at his own request, after performing at least twenty years but less than twenty-five years of service in the forces during the pensionable term, or if his original pension was granted pursuant to paragraph (*e*) of that section and ceases to serve by reason of the expiration of the augmenting service, but his pension computed on the pensionable term shall be subject to the reduction provided in paragraph (*e*) of that section;

(*c*) if he is not entitled to have his pension computed under paragraph (*a*) and was granted his original pension pursuant to paragraph (*b*), (*c*) or (*d*) of section 49 or section 54 of the Act and ceases to serve on the augmenting service for any of the reasons contained in paragraph (*b*) or (*c*) of section 49 of the Act or by reason of the expiration of the period of his augmenting service;

(*d*) if he is not entitled to have his pension computed under paragraph (*a*) and was granted his original pension pursuant to paragraph (*e*) of section 49 of the Act and serves in the forces on the augmenting service and ceases to serve therein for any of the reasons contained in paragraph (*b*) of that section;

(*e*) if he was granted his original pension pursuant to paragraph (*e*), (*f*) or (*g*) of section 49 of the Act and serves in the forces on the augmenting service and ceases to serve therein for the reason contained in paragraph (*c*) of that section;

(*f*) if he has less than twenty years of service in the forces during the pensionable term, and was granted his original pension pursuant to paragraph (*f*) or (*g*) of section 49 of the Act and serves in the forces on the augmenting service and ceases to serve therein by reason of the expiration of the augmenting service or for any of the reasons contained in paragraph (*b*) of that section, but the reduction applicable to the grant of a pension under the Act contained in paragraph (*f*) or (*g*) of that section, as applicable, shall apply;

(*g*) if he is not entitled to have his pension computed under paragraph (*a*) and was granted his original pension pursuant to paragraph (*e*), (*f*) or (*g*) of section 49 of the Act and serves on the augmenting service in the naval, army or air forces of Canaada other than the forces and ceases to serve therein by reason of the expiration of the augmenting service or for any of the reasons contained in paragraph (*b*) or (*c*) of that section, but the pension computed on the pensionable term shall be subject to the reduction applicable to a grant of a pension under the Act contained in paragraph (*e*), (*f*) or (*g*) of that section as applicable; or

(*h*) if he was granted his original pension pursuant to paragraph (*h*) or (*i*) of section 49 of the Act and ceases to serve on the augmenting service by reason of the expiration of the augmenting service, or for any of the reasons contained in paragraph (*b*) or (*c*) of that section, or at his own request if his original pension was granted as a man and has served at least twenty years in the forces during

the pensionable term, but the pension computed upon the pensionable term shall be subject to the reduction applicable to the grant of a pension under the Act contained in paragraph (*h*) or (*i*) of that section as applicable.

(2) The pension computed on the pensionable term as provided in subsection (1) shall be one-fiftieth of the average annual amount of the pay and allowances received by the pensioner during the last six years of the pensionable term for each year of the pensionable term but no pension shall be computed on a number of years in excess of thirty-five.

(3) Where a pensioner dies while performing elected augmenting service or dies while in receipt of a pension computed on a pensionable term, his widow and children shall be entitled to an annual pension computed on the pensionable term to the same extent and subject to the same conditions as are applicable to the widow and children of a deceased or former contributor.

(4) A period of absence from duty shall not break the continuity of augmenting service elected pursuant to subsection (1) of section 26, but such period may only be included as augmenting service to the same extent and subject to the same conditions as is applicable to the service of a contributor under sections 21 and 22, except that a continuous period of absence on leave without pay and allowances in excess of sixty days shall not be included as augmenting service.

(5) Subject to subsection (2), where the amount of a pension computed in accordance with subsections (1) and (2) is less than the total amount of the original pension increased by one-fiftieth of the average annual pay and allowances received during the augmenting service for each year of the augmenting service, then in lieu of entitlement to a pension computed pursuant to subsections (1) and (2) a pensioner shall be entitled to an annual pension equal to the latter amount.

**31.** A requisition for payment of a pension computed in accordance with the provisions of sections 26 to 30 inclusive shall be supported by the certificates required by section 58 of the Act.

**32.** (1) Notwithstanding any of the provisions contained in sections 25 to 31 a pensioner shall be deemed not to have elected to count augmenting service where

(*a*) he ceases to serve on a full-time paid basis in the forces or in the naval, army or air forces of Canada other than the forces prior to completion of a period of augmenting service as described in paragraph (*a*) of subsection (1) of section 26; or

(*b*) he is not entitled to have his pension computed upon the pensionable term pursuant to subsection (1) of section 30.

(2) Where the provisions of subsection (1) are applicable, all sums deducted from the pay and allowances of a pensioner or paid by him by reason of the provisions of sections 25 to 31 inclusive shall be refunded to him without interest or shall be applied, where applicable, towards the abatement of any deductions owed by the pensioner, where by reason of the provisions of subsection (1) he becomes subject to deductions pursuant to Deferred Pay Regulations or Part V and regulations relating thereto other than sections 25 to 31 inclusive and his entitlement to pension payments shall be restored retroactively to the date of election as if he had never elected.

*Defence Services Pension Act—Regulations—Part V*

*Succession Duties*

**33.** (1) In this section, "pension" means an annual pension payable under the Act to a widow or child and includes a compassionate allowance payable to a child.

(2) For the purposes of this section, where, under the Act, a pension is payable to a child, the widow of the person in respect of whom that pension is payable to that child is presumed, *prima facie*, to be the guardian of that child.

(3) Where, upon the death of any person in respect of whom any pension becomes payable under Part V of the Act to a successor, application in writing may be made, by or on behalf of the successor, to the Minister for payment out of the Permanent Services Pension Account in the Consolidated Revenue Fund of the whole or any part of the portion of the succession duties payable by that successor which is attributable to that pension, and where the Minister directs, in accordance with the application, that the whole or any part of the portion of the succession duties so payable shall be paid out of the Permanent Services Pension Account in the Consolidated Revenue Fund, the maximum portion of the succession duties that may be so paid is the proportion which

(*a*) the value of the pension payable to the successor

is of

(*b*) the value of the whole estate,

calculated for the purposes of determining the succession duties payable in respect thereof.

(4) Where the Minister makes a direction in accordance with subsection (3), the pension shall be reduced either for a term, requested by the successor in the application made under subsection (3), or during the entire period for which the pension is payable, if the successor fails to make a request in the application under subsection (3) that the pension be reduced for a term, by one-twelfth of an amount determined by dividing the amount of the succession duties to be paid out of the Permanent Services Pension Account in the Consolidated Revenue Fund, by the value of an annuity of one dollar per annum, payable monthly to a person of the age of the successor at the date of payment of the succession duties out of the Permanent Services Pension Account in the Consolidated Revenue Fund, calculated,

(*a*) in the case of a pension payable to the widow of the person in respect of whose death the pension is payable, in accordance with a (*f*) Ultimate Table with interest at the rate of four per centum per annum, and

(*b*) in the case of a pension payable to a child of the person in respect of whose death the pension is payable, at an interest rate of four per centum per annum and mortality shall not be taken into account.

(5) Where the pension of a successor is to be or is being reduced under this section for a term and the successor, being the widow of a former contributor, remarries before the end of the term and the pension is suspended, if at any time the pension is resumed it shall be reduced for a term equal to the term or the balance of the term, as the case may be, during which the pension would have been reduced had it not been suspended and such reduction shall be made to the same extent and in the same manner as the pension was reduced immediately prior to the suspension.

*Defence Services Pension Act — Regulations — Part V*

*Reinstatement of Widow's Pension*

**34.** (1) Where by reason of the remarriage of a widow the payment of her pension under Part V has been discontinued and she again becomes a widow, application in writing may be made by her or on her behalf to the Minister for resumption of that pension.

(2) Subject to subsection (4), upon receipt of the application referred to in subsection (1), the Minister may direct that payment of the pension to the widow discontinued by reason of her remarriage shall, to the extent that she is otherwise entitled under Part V to receive the same, be resumed.

(3) Where a direction is made pursuant to subsection (2), payment of the pension to the widow shall resume with effect from the first day of the month following the month in which the application for resumption of the pension is received by the Minister or from such earlier date as the Minister may direct, provided that she is otherwise entitled to receive the pension from that date.

(4) Where a pension or annual allowance (referred to herein as "the allowance") becomes payable to a widow under the Act, the Public Service Superannuation Act, or the Royal Canadian Mounted Police Act (except Part IV), and a direction is made by the Minister pursuant to subsection (2) in respect of such widow, that part only of the discontinued pension shall be resumed which is the greater of

(*a*) an amount which, when added to the annual amount of the allowance equals the annual amount of the discontinued pension, or

(*b*) an amount determined by a fraction of the annual amount of the discontinued pension

(i) the numerator of which is that number of years of service upon which the discontinued pension is based which, when added to number of years of service or pensionable services upon which the allowance is based, does not exceed in the aggregate thirty-five years, and

(ii) the denominator of which is the number of years of service upon which the discontinued pension is based.

*Administration*

*Payment of Pensions and Gratuities*

**35.** The Chairman of the Service Pension Board and the Judge Advocate General may issue such instructions and prescribe such forms as they may consider necessary to give effect to section 58 of the Act.

**36.** For the purposes of computing pensions or gratuities total combined service shall be reckoned as follows:

(*a*) each complete calendar month shall count as one month; and

(*b*) days served during broken periods of calendar months shall be totalled and each thirty days thereof shall be counted as one month, any remaining days amounting to fifteen days or more shall be counted as one additional month, but a period of less than fifteen days shall not be counted.

*Defence Services Pension Act—Regulations—Part V*

**37.** A pension to the widow or child of a contributor shall be payable from the day following the death of the contributor.

**38.** A pension or gratuity to the children of a contributor shall be paid, for the exclusive benefit of the children, to the widow of the contributor or to the legal guardian if one has been appointed, or to such other person as may be legally entitled to receive moneys in trust for the exclusive benefit of the children.

**39.** If a contributor marries after the coming into force of Part V and if his age exceeds the age of his wife by twenty years or upwards, the pension to such wife under Part V shall be reduced in the proportion that the value of a life annuity as at an age twenty years less than the age of the contributor at the time of his death is of the value of an equal life annuity as at the then actual age of the wife; for the purposes of this section the values of life annuities shall be computed on the basis of the Canadian Life Table No. 2(1941), Females, and interest at the rate of four per centum per annum.

**40.** (1) A pension shall be payable in full for the month in which the death of the pensioner occurs.

(2) Payment of a pension to a widow who remarries shall cease as of the day of such remarriage.

(3) Payment of a pension to a child shall cease as of the date on which the child attains the age of eighteen years.

*Debit Balance*

**41.** For the purposes of section 68 of the Act, a debit balance in the pay account of a former member of the forces shall be recovered from

(*a*) a gratuity, or return of contributions, in one lump sum, or

(*b*) a pension, by monthly instalments in any amount equal to ten per centum of the net pension but in any such case the pensioner may make payments which will liquidate the debit at a date earlier than that which would have occurred had the recovery been made at the rate of ten per centum per month.

*Permanent Services Pension Account*

**42.** (1) There shall be credited to the Permanent Services Pension Account

(*a*) all contributions made by the contributor under Part V;

(*b*) interest on the last day of each quarter in every fiscal year, namely, on the 30th day of June, on the 30th day of September, on the 31st day of December and on the 31st day of March, respectively, calculated at the rate of one per centum of the balance to the credit of the account on the last day of the preceding quarter; (*eff: 1 April 55*)

(*c*) the contribution made by the Government; and

(*d*) all amounts transferred thereto under sections 9 and 12 hereof.

(2) There shall be charged to the Permanent Services Pension Account

(*a*) all payments of benefits under Part V,

*Defence Services Pension Act—Regulations—Part V*

(*b*) all amounts of contributions refunded pursuant to section 5, and

(*c*) amounts of succession duties paid pursuant to section 33.

*Payment of Arrears of Contributions during Pension Suspension*

**43.** (1) Where by reason of appointment to a position in the public service of Canada, the pension of a pensioner is totally suspended and there are arrears of contributions outstanding with respect to such pension, the pensioner may inform the Chief Treasury Officer in writing and elect to pay such arrears, under the same conditions as if his pension were in payment to him, during that period of appointment.

(2) The manner and time of making the instalments in payment of the arrears provided for in subsection (1) shall be at the discretion of the Chief Treasury Officer, and the payment of any such instalments shall be credited by the Chief Treasury Officer towards the abatement of arrears outstanding upon the pension but shall be deemed to be payments on account only and shall not necessarily be in full satisfaction of any particular instalment of arrears for any particular period owing upon the pension.

(3) The election made by the pensioner as provided for in subsection (1) shall be revocable at the discretion of the pensioner upon thirty days' notice in writing to the Chief Treasury Officer to that effect, and the Chief Treasury Officer shall have the right to refuse to accept any instalment for any reason which to him shall seem to be good and sufficient, and upon the revocation of an election or the refusal to accept any instalment, payment of arrears shall cease until such time as the pensioner again elects, the Chief Treasury Officer accepts an application from the pensioner for reinstatement of his payments or the pension becomes payable in whole or in part to the pensioner.

*Payments Otherwise than by Monthly Instalments*

**44.** Where a pensioner or a recipient of a pension requests that a pension be paid otherwise than in equal monthly instalments, or where the Minister is of opinion that the payment of a pension in equal monthly instalments is not practical, he may direct, if such direction does not result in the payment of an aggregate amount greater than the aggregate amount of equal monthly instalments otherwise payable in accordance with section 57 of the Act, that the pension shall be paid in arrears

(*a*) in equal instalments quarterly or semi-annually; or

(*b*) annually.

(G) (PC 1955—1636 of 3 Nov 55) (3 Nov 55)

# INDEX

## QRCN—VOLUME III

## AMENDMENTS—QRCN
(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/24, 2/24, 3/24, 4/24 and 5/24 are superseded by this Amendment List.

Naval Secretary.

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **New Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

| | | | | | |
|---|---|---|---|---|---|
| **New Articles:** | | 24.19 | 205.23 | 209.835 | 210.805 |
| **Amended Articles:** | 4.02 | 5.16 | 19.07 | 35.02 | 206.22 |
| | 4.07 | 5.22 | 19.44 | 36.20 | 209.83 |
| | 4.32 | 15.35 | 28.01 | 45.47 | 209.84 |
| | 4.33 | 17.04 | 28.06 | 45.73 | |
| | 5.01 | 18.43 | 34.07 | 51.45 | |

B. **Amend** in ink and **Insert** after each amendment the reference "AL 24":

(1) *Article 4.38*

In note at end of article—

**Delete:** "*The*".

(2) *Article 4.42*

In line three—

**Delete:** "Bording", and
**Substitute:** "Boarding".

(3) *Article 12.56*

In line one—

**Delete:** "be", and
**Substitute:** "by".

(*Continued on next page*)

(4) *Article 15.20*
In paragraph (2), line two—
**Delete:** "that", and
**Substitute:** "the".

(5) *Article 16.14*
(a) In paragraph (2), line two—
**Delete:** "in", and
**Substitute:** "is".
(b) In paragraph (3), line four—
**Delete:** "if", and
**Substitute:** "of".

(6) *Article 18.01*
In table, third page, opposite "Albert Medals"—
**Delete:** "humously", and
**Substitute:** "posthumously".

(7) *Article 19.19*
In line one—
**Delete:** "64.08", and
**Substitute:** "64.09".

(8) *Article 19.58*
In paragraph (3), line one—
**Delete:** "accusal", and
**Substitute:** "accused".

(9) *Article 19.66*
In paragraph (1), subparagraph (d), line three—
**Delete:** "as prescribed in article 208.08".

(10) *Article 19.69*
In title—
**Delete:** "FOREITURE", and
**Substitute:** "FORFEITURE".

(11) *Article 103.61*
In paragraph (1), last line—
**Delete:** "subsection one", and
**Substitute:** "subsection (2)".

(12) *Article 114.44*
In continuation of article—
**Delete:** "114.43", and
**Substitute:** "114.44".

## AMENDMENTS—QRCN
(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/22, 2/22 and 3/22 are superseded by this Amendment List.

Naval Secretary

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **New Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

**New Article:** 34.165

**Amended Articles:** 1.02 (i)(b) 1.02 (xc) 29.09 209.50
1.02 (lv) 16.19 33.01

**Amended Appendix:** Appendix VIII, page 4

B. **Amend** in ink and **Insert** after each amendment the reference "AL 22":

(1) *Chapter 51—Engineering*

At end of chapter—

**Delete:** "(51.62 to 51.69 INCLUSIVE: NOT ALLOCATED)", and

**Substitute:** "(51.62 TO 51.99 INCLUSIVE: NOT ALLOCATED).

(2) *Appendix XI—The National Defence Act*

In section 107(e), line one, following "takes or receives on board"—

**Insert:** "goods".

## AMENDMENTS—QRCN
(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/21, 2/21, 3/21, 4/21, 5/21, 6/21 and 7/21 are superseded by this Amendment List.

Naval Secretary

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **NEW Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

| | | | | | |
|---|---|---|---|---|---|
| **New Articles:** | 36.05 | 51.60 | 51.61 | | |
| **Deleted Article:** | 35.03 | | | | |
| **Amended Articles:** | 19.39 | 27.66 | 36.20 | 48.06 | 71.2610 |
| | 21.11 | 27.93 | 42.25 | 48.07 | 71.4702 |
| | 26.08 | 34.07 | 43.31 | 53.20 | 203.23 |
| | 27.65 | 35.02 | 43.32 | 71.1201 | |
| **Amended Appendix:** | Appendix XIV | | | | |

B. **Amend** in ink and **Insert** after the amendment the reference "AL 21":

(1) *Article 205.53—Kit Upkeep Allowance—Men*
In paragraph (2), subparagraph (a)—
**Delete:** "$10.00", and
**Substitute:** "$8.00".

In paragraph (2), subparagraph (b)—
**Delete:** "$10.00", and
**Substitute:** "$7.00". (1 Apr 55)

(2) *Article 205.535—Kit Upkeep Allowance—Females*
In paragraph (2)—
**Delete:** "$10.00", and
**Substitute:** "$9.00". (1 Apr 55)

(3) *Article 210.315—Grants to Recreational Libraries*
At top of page—
**Delete:** "310.315", and
**Substitute:** "210.315".

## AMENDMENTS—QRCN

(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/20, 2/20, 3/20 and 4/20 are superseded by this Amendment List.

Naval Secretary

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **New Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

| | | | | |
|---|---|---|---|---|
| **New Article:** | 210.45 | | | |
| **Amended Articles:** | 2.12 | 71.4502 | 208.01 | 210.24 |
| | 38.01 | 203.20 | 210.21 | 210.27 |
| | 45.21 | 205.53 | 210.23 | |

B. **Amend** in ink and after each amendment **Insert** the reference "AL 20".

(1) In Volume I, Index, page 39, under "Officers", opposite "reporting when taking up appointment"—

**Insert:** ".....7.24".

~~(2) *Article 210.74*~~

Following paragraph (1)—

**Delete:** "*(8 Dec 54)*", and
**Substitute:** "*(1 May 53)*".

(3) *Article 210.75*

Following paragraph (1)—

**Delete:** "*(8 Dec 54)*", and
**Substitute:** "*(1 May 53)*".

## AMENDMENTS—QRCN

(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/19, 2/19, 3/19 and 4/19 are superseded by this Amendment List.

Naval Secretary

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **New Pages:**

The following amendments to existing articles have been incorporated in the attached pages. These shall be inserted in place of the existing ones.

| | | | | |
|---|---|---|---|---|
| **New Chapter:** | Chapter 40 | | | |
| **New Article:** | 17.065 | | | |
| **Deleted Article:** | 71.4804 | | | |
| **Amended Articles:** | 12.25 | 49.60 | 205.26(Table) | 210.75 |
| | 42.01 | 71.1401 | 209.82 | |
| | 43.66 | 71.5106 | 209.84 | |
| | 48.32 | 205.24 | 210.74 | |
| **Amended Appendix:** | Appendix V | | | |
| **Reprinted Articles:** | 12.01 | | | |
| | 210.76 | | | |

B. **Amend** in ink and after the amendment INSERT the reference "AL 19" and the effective date shown:

In Volume 1, in Table of Contents, page 5,—

**Delete:** "40 *Paying Off*—
Not promulgated", and

**Substitute:** "40 Paying Off—Ships 40.01—40.99".

(22 Dec 54)

## AMENDMENTS—QRCN
(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/18 and 2/18 are superseded by this Amendment List.

Naval Secretary.

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **New Pages:**
The following amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

| | | | | | |
|---|---|---|---|---|---|
| **Deleted Articles:** | 57.02 | 57.04 | 57.08 | 57.10 | 57.60 |
| | 57.03 | 57.07 | 57.09 | 57.11 | 57.61 |
| **Amended Articles:** | 26.12 | 48.15 | 61.17 | 210.51 | |
| | 33.02 | 57.01 | 71.1201 | 210.62 | |
| **Amended Appendix:** | Appendix II, article 3. | | | | |
| **Reprinted Articles:** | 203.22(2) | | | | |
| | 210.42 | | | | |

B. **Amend** in ink and after the amendment **Insert** the reference "AL 18" and the effective date shown:

*Article 108.11—Powers of Punishment of Delegated Officers*

In the table to article 108.11, opposite item (1) in column (B), —

**Delete:** "(a) $10 fine", and

**Substitute:** "(a) $25 fine". (1 Nov 53)

C. **Special Note:** Amendment List 13 should have shown:

"**Deleted Article:** 204.34".

## AMENDMENTS—QRCN
(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notice 1/17 is superseded by this Amendment List.

Naval Secretary

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **New Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

| | | | |
|---|---|---|---|
| **New Articles:** | 27.59 | 29.18 | 210.82 |
| **Amended Articles:** | 16.04 | 106.15 | |
| **Amended Appendix:** | Appendix XIV | | |
| **Reprinted Articles:** | 2.08 | 2.14 | 3.01 |

B. NIL

## AMENDMENTS—QRCN

(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/16, 2/16, 3/16, 4/16, 5/16 and 6/16 are superseded by this Amendment List.

Naval Secretary.

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **New Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

| | | | |
|---|---|---|---|
| **New Articles:** | 19.75 | 205.405 | 208.43 |
| | 43.19 | 205.45 | 210.75 |
| | 205.29 | 208.07 | |
| **Amended Articles:** | 10.10 | 108.27 | 209.72 |
| | 27.80 | 203.20 | 210.33 |
| | 36.11 | 208.01 | 210.34 |
| | 36.20 | 208.05 | 210.36 |
| | 38.01 | 208.06 | 210.74 |
| | 71.1901 | 209.70 | |
| **Reprinted Pages:** | Arts. 23.04 | 23.20 | 210.80 |

Vol. I, Table of Contents, last page.
Appendix XI, page 78A (incorrectly numbered 9A)

B. **Nil**

## AMENDMENTS—QRCN

(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/15, 2/15, 3/15 and 4/15 are superseded by this Amendment List.

Naval Secretary

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **Reprinted Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

**New Articles:** 19.625 34.145 209.825

**New Appendices:** Appendix VIII—Government Property Traffic Regulations
Appendix XIII—Visiting Forces (NAT) Act.

**Amended Articles:** 1.02 34.14 43.31 203.03
19.64 35.04 71.2620
26.12 38.03 108.48

**Deleted Articles and Appendix:** 38.04
71.4303
Appendix XIII—Visiting Forces (U.S.A.) Act.

**Amended Appendices:** XI—Title Page, and pages 5, 6, 15, 16, 21, 22, 22A, 35, 36, 37, 38, 39, 40, 65, 66, 66A, 77, 78, 78A.
XXI—Title Page, and pages 11, 12, 13, 14, 15, 16, 16A, 19, 20, 21, 22.

**Reprinted Article:** 23.25

B. **Amend** in ink and after each amendment **Insert** the reference "AL 15" and the effective date shown:

(1) In Vol. 1, at end of Table of Contents, under "Appendices",—

**Delete:** "VI to X INCLUSIVE (NOT ALLOCATED)", and

**Substitute:** "VI and VII (NOT ALLOCATED)
VIII The Government Property Traffic Regulations
IX and X (NOT ALLOCATED)"

(2) **9.04—SPECIAL DUTY**
At the end of this article, at the left margin,—
**Insert:** "(G)".

(1 Sep 51)

(3) **14.01—GENERAL**
At the end of this article, at the left margin,—
**Insert:** "(C)".

(1 Oct 53)

(4) **15.34—RELEASE OF A MAN ELIGIBLE FOR SERVICE PENSION**
In the reference following this article,—
**Delete:** *"section sixteen"*, and
**Substitute:** *"section fifteen"*.

(5) In Vol. II, at the end of Table of Contents, under "Appendices",—
**Delete:** "XIII The Visiting Forces (United States of America) Act", and
**Substitute:** "XIII The Visiting Forces (NAT) Act".

(1 May 54)

(6) **208.31—FORFEITURES—WHEN NO SERVICE RENDERED**
Following this article, at right hand margin,—
**Insert** effective date: "(1 Sep 51)".

(7) **210.70 — VOLUNTEERS FOR PHYSIOLOGICAL TESTS — REGULAR FORCE**
Following this article, in brackets,—
**Delete:** "210.70 and".

(11 Feb 54)

## AMENDMENTS—QRCN

(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/14, 2/14, 3/14, 4/14, 5/14 and 6/14 are superseded by this Amendment List.

Naval Secretary

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **Reprinted Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

**New Articles:** 38.05
210.70

**Revised Chapter:** Chapter 14

| | | | | |
|---|---|---|---|---|
| **Amended Articles:** | 2.03 | 7.12 | 57.01 | 208.31 |
| | 2.05 | 10.08 | 71.1001 | 209.875 |
| | 4.20 | 10.10 | 205.32 | |

**Deleted Articles:** 57.05

**Reprinted Articles:** 62.88

B. **Nil**

QRCN, QR(Army), QR(Air)

(This sheet is to be attached to Amendment List 13)

# NOTE

When replacing Appendix XXI (The Defence Services Pension Act) with the new pages, **RETAIN** the last 10 pages of the old Appendix XXI which are entitled

**"Regulations — Defence Services Pension Act — Part V".**

These Regulations will be amended at an early date.

## AMENDMENTS—QRCN

(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/13, 2/13 and 3/13 are superseded by this Amendment List.

Naval Secretary

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **Reprinted Pages:**

The following amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

**New Articles:**

25.045

**Amended Articles:**

| | | | |
|---|---|---|---|
| 17.06 | 45.47 | 71.0405 | 204.30 |
| 25.01 | 48.15 | Appendix XI | 209.83 |
| 25.04 | 51.03 | 204.21 | Appendix XXI |

**Reprinted Articles:**

| | | | |
|---|---|---|---|
| 3.43 | 19.10 | 43.69 | 71.4801 |
| | | | 204.34 |
| 6.23 | 37.25 | 48.31 | 208.09 |
| 17.04 | 42.89 | 57.31 | 208.40 |

B. **Amend** in ink, and **insert** after the amendment the effective date shown and the reference "AL 13".

Article 209.30—TRAVELLING ALLOWANCES—DAILY RATES AND CONDITIONS

In para (4)(b)—

**Delete:** "$1.65
2.00
2.35", and

**Substitute:** "$1.80
2.40
2.75".

(18 Dec 53)

## AMENDMENTS—QRCN
(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/12, 2/12, 3/12 and 4/12 are superseded by this Amendment List.

Naval Secretary

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **Reprinted Pages:**

The following amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

**Amended Articles:**

| | | | |
|---|---|---|---|
| 15.21 | 203.03 | 209.51 | 209.905 |
| 15.33 | 203.07 | 209.86 | 210.30 |
| 34.10 | 203.20 | 209.87 | |

B. **Amend** in ink, and **Insert** after the amendment the effective date shown and the reference "AL 12".

(1) Article 205.02—Meal Allowance—Reserves

In paragraph (1), line five—

**Delete:** "fifty", and
**Substitute:** "seventy-five".

(28 Oct 53)

N.S. 575-699(N)
Q.P. Job No. 14271
Quantity 4000

## AMENDMENTS—QRCN
(See QRCN article 1.24)

The following amendments to The Queen's Regulations and Orders for The Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/10, 2/10, 3/10 and 4/10 are superseded by this Amendment List.

Naval Secretary

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and to all others concerned.

A. **Reprinted Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

**New Articles:**

| | |
|---|---|
| 71.0406 | 206.24 |

**Amended Articles:**

| | | | |
|---|---|---|---|
| 14.18 | 103.50 | 205.26 | 206.23 |
| 14.39 | 205.01 | 206.20 | 209.30 |
| 16.19 | 205.24 | 206.21 | |
| 27.82 | 205.25 | 206.22 | |

Appendix XXI—Regulations—Part V

**Deleted Article:**

16.15

B. **Amend** in ink and **Insert** after each amendment the effective date shown and the reference "AL 10".

(1) Art. 48.31—TOUCHING GROUND AND COLLISIONS

(*a*) In the title to this article—
**Delete:** "Collisoins", and
**Substitute:** "Collisions". (1 Sep 51)

(b) In para (2), line four—
**Delete:** "be carefully noted", and
**Substitute:** "shall be carefully noted". (1 Sep 51)

(2) Art. 54.21—EXAMINATIONS IN EDUCATIONAL SUBJECTS

In the reference following this article—
**Delete:** "71.5401", and
**Substitute:** "71.5801". (17 Mar 53)

## AMENDMENTS—QRCN
(See QRCN Article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/9, 2/9, 3/9, 4/9, 5/9, 6/9, 7/9, 8/9, 9/9, and 10/9 are superseded by this Amendment List.

Naval Secretary.

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and to all others concerned.

A. **New Pages:**

Chapter 58

**Reprinted Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

**New Articles:**

| | | |
|---|---|---|
| 35.01 | 71.2188 | 210.80 |
| 53.17 | 71.5801 | |

**Amended Articles:**

| | | | |
|---|---|---|---|
| 17.08 | 41.01 | 101.11 | 209.32 |
| 21.88 | 43.11 | 203.20 | 209.61 |
| 29.26 | 54.21 | 203.22 | 209.63 |
| 36.20 | 71.2610 | 205.525 | 209.82 |
| 36.21 | 71.4101 | 207.045 | 210.38 |
| 38.03 | | | 210.395 |

B. **Amend** in ink and **Insert** after each amendment the effective date shown and the reference "AL 9".

(1) Art. 18.41—QUALIFYING SERVICE

(a) In para (1), subpara (a), line one—

**Delete:** "current",

(b) **Renumber** para (3) as para (2). (12 Dec 52)

(2) Art. 18.42—COUNTING OF FORMER SERVICE

In para (1), line two—

**Delete:** "(1)(c)", and

**Substitute:** "(1)(b)". (12 Dec 52)

(3) Art. 26.12—RULES AND GENERAL INSTRUCTIONS—"EXEMPLARY" CONDUCT

In para (6), subpara (a), line two—

**Delete:** "advancement", and

**Substitute:** "promotion". (1 May 53)

(4) Art. 34.07—ENTITLEMENT TO MEDICAL CARE

In para (2), line one—

**Delete:** "suffffers", and

**Substitute:** "suffers". (1 Sep 51)

N.S. 575-699(N)
Q.P. Job No. 203290/Y184
Quantity 4000

## AMENDMENTS—QRCN
(See QRCN Article 1.24)

The following amendments to The Queen's Regulations and Orders for The Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/8, 2/8, 3/8, 4/8, 5/8, 6/8, 7/8 and 8/8 are superseded by this Amendment List.

Naval Secretary.

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments,
and all others concerned.

A. **Reprinted Pages:** The following new articles and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

| | | | | |
|---|---|---|---|---|
| **New Articles:** | 33.005 | 34.015 | 209.52 | 210.63 |
| **Amended Articles:** | 10.10 | 43.01 | | 209.037 |
| | 34.07 | 108.27 (Table "A") | | 209.50 |
| | | 108.27 (Table "B") | | |

B. **Amend** in ink and **Insert** after each amendment the effective date shown and the reference "AL 8".

(1) Article 1.02—DEFINITIONS

Immediately following this article—

**Insert:** "(G)". (1 Sep 51)

(2) Article 12.55—LIEUTENANT-COMMANDER

In the Table to this article, second column, opposite "Supply"—

**Delete:** "(c) successful completion of the examination for promotion to Lieutenant-Commander (S) prescribed in the Training Manual." (10 Jul 52)

(3) Article 14.992—REQUIREMENTS FOR SELECTION AND PROMOTION TO OFFICER STATUS, REGULAR FORCE

(a) In the Table to this article, in column "Section II—Requirements for Promotion—Educational", opposite lines "d" and "e"—

**Delete:** "AND HEAT".

(b) In the Table to this article, in column "Section II—Requirements for Promotion—Educational", opposite line "f"—

**Delete:** "AND HEAT".

(c) Immediately following this Table—

**Insert:** "(C)". (26 Jan 53)

(4) Article 48.54—SHIP'S LOG

(a) In para (2), subpara (a), clause (vi), after "being given"—
**Insert:** "*(See article 101.11—"Logging Conduct of Officers.")*".

(b) In para (2), subpara (c), clause (ii), line two—
**Delete:** "deposition", and
**Substitute:** "position". (1 Mar 53)

(5) Article 71.4807—REPORTS OF NAVIGATIONAL DANGERS AND HYDROGRAPHIC INFORMATION

In para (3), line one—
**Delete:** "C.N.S. 378", and
**Substitute:** "C.N.H. 395 (Revised Jan 1953)". (1 Mar 53)

(6) APPENDIX IV—Title page

At bottom of this page—
**Delete:** "(APPENDIX V TO APPENDIX X INCLUSIVE: NOT ALLOCATED)". (1 Jan 53)

(7) Article 111.17—LIMITATIONS OF POWERS OF PUNISHMENT OF GENERAL COURT MARTIAL

**Delete** article 111.17, and
**Substitute** new article 111.17 as follows:
"No General Court Martial shall pass a sentence that includes a minor punishment." (14 Jan 53)

(8) Article 111.36—LIMITATIONS OF POWERS OF PUNISHMENT OF DISCIPLINARY COURT MARTIAL

**Delete** subpara (b), and
**Substitute** subpara (c) as (b). (14 Jan 53)

(9) Article 203.29—PRISONERS OF WAR, INTERNEES AND PERSONNEL DETAINED BY AN ENEMY

(a) In para (1), subpara (c), clause (vii), line three—
**Delete:** "and".

(b) In para (1), subpara (c) clause, (viii), line three—
**Add:** "and". (1 Sep 51)

(10) Article 204.33—PAY—UNIVERSITY NAVAL TRAINING DIVISIONS

**Delete** article 204.33, and
**Substitute:** "(204.33: NOT ALLOCATED)". (6 Feb 53)

(11) Article 205.53—KIT UPKEEP ALLOWANCE—MEN

In para (2), subpara (b)—
**Delete:** "$8.00", and
**Substitute:** "$10.00". (1 Apr 53)

(12) Article 205.535—KIT UPKEEP ALLOWANCE—FEMALES

(a) In para (2), line two—
**Delete:** "$12.00", and
**Substitute:** "$10.00".

(b) Immediately following this article—

**Delete:** "(205.54 TO 205.59 INCLUSIVE: NOT ALLOCATED)", and

**Substitute:** "(205.54: RESERVED—ARMY AND AIR FORCE) (205.55 TO 205.59 INCLUSIVE: NOT ALLOCATED)". (1 Apr 53)

(13) Article 205.71—INTERIM ALLOWANCE FOR DEPENDENTS—REGULAR FORCE AND RESERVES ON CONTINUOUS NAVAL DUTY

In para (3), subpara (b), line three—

**Delete:** "six months", and

**Substitute:** "twelve months". (1 Sep 51)

(14) Article 209.037—ADVANCES OF TRAVELLING ALLOWANCE AND TRAVELLING EXPENSE

In para (1), line one—

**Delete:** "(1) When an officer", and

**Substitute:** "(1) Subject to (4) of this article, when an officer". (7 Feb 53)

N.D. 575-465(N)
Q.P. Job No. 201226
Quantity 4000

## AMENDMENTS—QRCN

(See QRCN Article 1.24)

The following amendments to the Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/7, 2/7 and 3/7 are superseded by this Amendment List.

Naval Secretary

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments
and to all others concerned.

A. **New Pages:** Appendix II and Appendix V

**Reprinted Pages:** The following new article and amendments to existing articles have been incorporated in the attached pages. These pages shall be inserted in place of the existing ones.

**New Article:** 25.21

**Amended Articles:** Table of Contents (last page)

| | | |
|---|---|---|
| 1.03 | 15.02 | 18.45 |
| 1.08 | 18.41 | 203.29 |
| 3.28 | | |

B. **Amend** in ink and **Insert** after each amendment the effective date shown and the reference "AL 7".

(1) Article 2.08—FORMATION AND COMPOSITION OF COMMANDS
Immediately following this article—
**Insert:** "(M)". (1 Sep 51)

(2) Article 4.44—OFFICER OF THE WATCH AT SEA
In paragraph (7), line two, after "*article*"—
**Delete:** "*48.02*", and
**Substitute:** "*48.06*". (1 Sep 51)

(3) Article 6.23—CONDITIONS OF RE-ENGAGEMENT

(a) In paragraph (3), subparagraph (b), line one—
**Delete:** "declaration", and
**Substitute:** "solemn affirmation".

(b) In paragraph (3), subparagraph (b), line two—
**Delete:** "First".

(c) In paragraph (3), subparagraph (b), line three—
**Delete:** "declaration", and
**Substitute:** "solemn affirmation". (1 Sep 51)

(4) Article 12.23—COMMODORE
Immediately following this article—
**Delete:** "(1 Jan 2)", and
**Substitute:** "(1 Jan 52)". (1 Jan 52)

(5) Article 18.26—FORFEITURE AND RESTORATION OF LONG SERVICE AND GOOD CONDUCT MEDAL
In paragraph (5), subparagraph (c), line one, after "has"—
**Delete:** "been". (1 Sep 51)

(6) Article 19.44—POLITICAL ACTIVITIES AND CANDIDATURE FOR OFFICE
In paragraph (1), subparagraph (a), line one—
**Delete:** "polotical speech", and
**Substitute:** "political speech". (1 Sep 51)

(7) Article 27.98—DISBURSEMENTS OF SHIP'S FUND
In paragraph (1), line one—
**Delete:** "Captains approval", and
**Substitute:** "Captain's approval". (1 Sep 51)

(8) Article 28.11—OCCUPATION OF SINGLE QUARTERS BY PERSONNEL ELIGIBLE FOR MARRIED QUARTERS
Immediately before this article—
**Delete:** "Section 2—Married Quarters". (1 Sep 51)

(9) Article 37.24—RESPONSIBILITY OF THE CAPTAIN IN RELATION TO CASH AND PAYMENTS
In paragraph (1), subparagraph (a), line one, after "which"—
**Delete:** "effect", and
**Substitute:** "affect". (1 Sep 51)

(10) Article 42.04—SURVEYS OF PLATES AND FRAMES
In paragraph (8), line three, after "*article*"—
**Delete:** "*51.42*", and
**Substitute:** "*51.43*". (1 Sep 51)

(11) Article 71.2610—REPORTS ON OFFICERS
In paragraph (9), subparagraph (a), line five, after "should"—
**Delete:** "be", and
**Substitute:** "he". (1 Sep 51)

(12) Article 71.4801—REPORT OF NOON POSITION
(a) In line one, after "active service"—
**Insert:** "by reason of an emergency".
(b) **Delete:** subparagraphs (b), (c) and (d), and
**Substitute** new subparagraphs (b) and (c) as follows:
"(b) names of ships in company; and
(c) when applicable, the ice report prescribed in Naval General Orders". (24 Nov 52)

(13) Article 107.04—PRELIMINARY DISPOSITION OF CHARGE

In Note (B), line one—

**Delete:** "Section 138", and
**Substitute:** "Section 135". (1 Sep 51)

(14) Article 111.60—DEFENDING OFFICER, COUNSEL AND ADVISER

In paragraph (1), subparagraph (a), between the words "defending officer" and "counsel"—

**Insert:** "or". (1 Sep 51)

(15) Article 205.30—RISK ALLOWANCE

In paragraph (2), subparagraph (b), line one—

**Delete:** "article 205.31", and
**Substitute:** "articles 203.29 and 205.31". (1 Sep 51)

(16) Article 210.315—GRANTS TO RECREATIONAL LIBRARIES

In the Table to this article, under heading "Annual Maintenance Grant", opposite item (a) (iv)—

**Delete:** "504.00", and
**Substitute:** "168.00". (1 Sep 51)

N.D. 575-465(N)
Q.P. Job No. 201226
Quantity 4000

## AMENDMENTS—QRCN

(See QRCN Article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/6, 2/6 and 3/6 are superseded by this Amendment List.

Naval Secretary

To all Flag Officers,
Officers Commanding
Her Majesty's Canadian
Ships and Establishments
and to all others concerned.

A. **Reprinted Pages:**

The following new article and amendments to existing articles have been incorporated in the attached reprinted pages. These pages shall be inserted in place of the existing pages:

| | | | | |
|---|---|---|---|---|
| **New Article:** | 210.47 | | | |
| **Amended Articles:** | 6.01 | 14.19 | 26.12 | 205.20(3) |
| | 6.04 | 15.21 | 27.765 | Index (Vol III) |

B. **Amend** in ink and **Insert** after each amendment the effective date shown and the reference "AL 6".

(1) Article 2.06—CONTROL AND ADMINISTRATION – CHIEF OF THE NAVAL STAFF

(a) In line two—

**Renumber** Subsection (1) as "(2)". (29 May 52)

(b) In line six—

**Renumber** Subsection (4) as "(5)". (29 May 52)

(2) Article 14.40, in title—

**Delete:** "QUALIFICATIONS FOR RATE ON RE-ENROLMENT", and

**Substitute:** "FORMER TRADE OR RATE ON ENROLMENT OR RE-ENROLMENT". (22 July 52)

(3) Article 14.51 (Table)—PROMOTION – SEAMAN

Under heading "Remarks – RCN", in Item No. 5—

**Delete:** "and pass PPT or PST". (23 Jan 52)

(4) Article 15.05, immediately following this article—

**Insert:** "(M)". (1 Sep 51)

(5) Article 26.113—RULES FOR CHARACTER ASSESSMENT

(a) In para (3), subpara (a), clause (iii), line two—

**Delete:** ", or", and

**Substitute:** ".". (1 Sep 51)

(b) In para (3), subpara (a)—

**Delete** clause (iv). (1 Sep 51)

(6) Article 71.1201—HALF-YEARLY RECOMMENDATIONS FOR PROMOTION

In para (1), subpara (a), line one—

**Delete:** "(5)(a)", and

**Substitute:** "(5)(a) and (6)". (13 Aug 52)

(7) Article 71.4207, immediately following this article—

**Insert:** "(C)". (1 Sep 51)

(8) Article 209.205—ARRANGEMENTS FOR TRANSPORTATION

In para (1), subpara (b), lines one and two—

**Delete:** "High Commissioner for Canada, London, England.", and

**Substitute:** "Naval Member, Canadian Joint Staff, London." (16 Oct 52)

(9) Appendix XXI—DEFENCE SERVICES PENSION ACT—PART V

In section 42, subsection (1)—

**Delete** paragraph (d) (Definition of "dependent"), and

**Substitute:** *"(Repealed) (The Canadian Forces Act, 1951) (21 Dec. 51)".*

N.D. 575-465(N)
Q.P. Job No. 201226
Quantity 4000

## AMENDMENTS—QRCN

(See QRCN Article 1.24)

The following amendments to the Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted immediately on receipt of this order.

Advance Notices 1/5, 2/5, 3/5 and 4/5 are superseded by this amendment list.

Naval Secretary

To all Flag Officers, Officers Commanding Her Majesty's Canadian Ships and Establishments and all others concerned.

A. **Reprinted Pages**

The following amendments to existing articles have been incorporated in the attached reprinted pages:

| | | | |
|---|---|---|---|
| Title (Vol I) | 43.10 | Title (Vol II) | 204.30 |
| 3.09 | 71.4207 | 104.02 | 204.306 |
| 14.81 | 71.4702 | Title (Vol III) | 210.30 |
| 15.05 | | | |

B. **Amend** in ink and **Insert** immediately following each amendment the effective date shown and, as reference, "AL5".

(1) Article 3.29—Extent of Command
In para (5), second last line—
**Delete:** "Comaand", and
**Substitute:** "Command". (1 Sep 51)

(2) Article 12.53—Captain
In Table, under heading "REQUIREMENTS", line two—
**Delete:** "Naval". (21 May 52)

(3) Article 14.80—Promotion—Armourers (Table)
In heading "Reduction or Reversion List"—
**Delete:** "List", and
**Substitute:** "Limit". (22 Jul 52)

(4) Article 14.92—Promotion—Bandsmen (Table)
In heading "Reduction or Reversion List"—
**Delete:** "List", and
**Substitute:** "Limit". (19 May 52)

(5) Article 19.43—Directorships and Interest in Companies
In para (1), subpara (b)—
**Delete:** "an", and
**Substitute:** "and". (1 Sep 51)

(6) Article 103.18—Insubordinate Behaviour
In Note (H), line one—
**Delete:** "(G) or (H)", and
**Substitute:** "(F) or (G)". (1 Sep 51)

(7) Article 111.63—Method of Procuring Witnesses
(a) In para (1), lines three and four, after "Act"—
**Delete:** "and an officer taking a summary of evidence in accordance with regulations".
(b) In para (1), line six, after "commissioner"—
**Delete:** "or officer".
(c) In para (2), line four, after "judge advocate,"—
**Insert:** "or".
(d) In para (2), line five, after "Act"—
**Delete:** "or officer taking a summary of evidence in accordance with regulations". (29 May 52)

(8) Article 112.27—Procedure on Plea of Guilty
In para (2), line two—
**Delete:** "112.05 (21) and (22)", and
**Substitute:** "112.05 (20) and (21)". (1 Sep 51)

(9) App XI, Section 200, Subsec (2), line five, after "judge advocate,"—
**Insert:** "or". (29 May 52)

N.S. 575-465
Q.P. Job No. 201226
Quantity 4000

## AMENDMENTS — QRCN
(See QRCN Article 1.24)

The following amendments to the Queen's Regulations and Orders for the Royal Canadian Navy, having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/4, 2/4, 3/4, 4/4, 5/4, 6/4, 7/4, 8/4, 9/4, 10/4, 11/4, 12/4, 13/4 and 14/4 are superseded by this amendment list.

Naval Secretary

To all Flag Officers, Officers Commanding Her Majesty's Canadian Ships and Establishments and all others concerned.

A. **Reprinted Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached reprinted pages:

(*a*) **New Articles:**

| | | | |
|---|---|---|---|
| 12.50 | 12.54 | 203.29 | 210.395 |
| 12.51 | 12.55 | 205.505 | |
| 12.52 | 12.56 | 205.525 | |
| 12.53 | 14.80 | 205.535 | |

(*b*) **Amended Articles:**

| | | | |
|---|---|---|---|
| 1.24 | 14.92 | 49.12 | 209.32 |
| 6.22 | 14.993 | 111.53 | 209.83 |
| 14.06 | 15.17 | 207.03 | 209.875 |
| 14.40 | 37.22 | 207.04 | 210.38 |
| 14.79 | 48.06 | 209.30 | |

B. **Amend** in ink and **Insert** immediately following each amendment the effective date shown:

(1) Article 12.25—Commander
In Table heading "Qualifying Service Required"—
**Delete:** "(See article 12.01)", and
**Substitute:** "(See article 12.02)".

(2) Article 14.53—Promotion—Communicator (CV)
(Superseding Advance Notice 3 of Amendment List 1)

(*a*) In second line, after "Promotion Communicator"—
**Add:** "(CV)".

(*b*) In Table, under heading "Qualifications Required", column "RCN", opposite Item 3 (*b*)—
**Delete:** "9 months", and
**Substitute:** "9 months as Petty Officer 2/c". (1 Sep 51)

(3) Article 14.65—Promotion—Plane Technician

In the Table, item 3, column "Remarks"—

**Delete:** "PO", and

**Substitute:** "PC". (1 Sep 51)

(4) Article 41.10—Berthing near Coppered Vessels

**Delete:** "(See Naval General Orders regarding Ship to shore electric leads.)" (1 Sep 52)

(5) Article 43.69—Engine Room Complements—Employment in Watches

(*a*) In Title to article—

**Delete:** "Engine Room Complements", and

**Substitute:** "Engineering Personnel".

(*b*) In note to this article, after words "of Engineering"—

**Delete:** "Room". (20 Dec 51)

(6) Article 54.11—Naval Educational Tests

(*a*) In subpara (*a*), line two—

**Delete:** "of Grade VIII in Canadian High Schools", and

**Substitute:** "to Grade VIII in Canadian Public Schools". (29 Apr 52)

(7) Article 57.10—Filing of Correspondence

In para (1), line three—

**Delete:** "(File Dividing and Manual)", and

**Substitute:** "(File Directory and Manual)". (1 Sep 51)

(8) Article 103.16—Disobedience of Lawful Command

In Note (G), line two, after "relating to"—

**Delete:** "his". (20 May 52)

(9) Art. 103.46—Stealing

In para (2), column one—

**RAISE** first word "Stealing" to a position above the bracket.

(10) Article 205.32—Responsibility Allowance

(*a*) In para (2), subpara (*a*), clause (ii), line one—

**Delete:** "article 205.33". and

**Substitute:** "articles 203.29 and 205.33".

(*b*) In para (2), subpara (*b*), clause (ii), line one—

**Delete:** "article 205.33", and

**Substitute:** "articles 203.29 and 205.33".

(*c*) In para (2), subpara (*c*), clause (ii), line one—

**Delete:** "article 205.33", and

**Substitute:** "articles 203.29 and 205.33". (1 Sep 51)

N.S. 575-465 (N)
Q.P. Job No. 56704
Quantity 4000

## AMENDMENTS—QRCN
(See QRCN Article 1.24)

The following amendments to the Queen's Regulations and Orders for the Royal Canadian Navy having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/3, 2/3, 3/3, 4/3, 5/3, 6/3, 7/3, 8/3, 9/3, 10/3, 11/3, 12/3 and 13/3 are superseded by this amendment list.

Naval Secretary

To all Flag Officers, Officers Commanding Her Majesty's Canadian Ships and Establishments and all others concerned.

A. **New Pages:**

Nil

B. **Reprinted Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached reprinted pages:

(*a*) **New Articles:**

| | | |
|---|---|---|
| 5.16 | 15.07 | 210.355 |

(*b*) **Amended articles:**

| | | | |
|---|---|---|---|
| 1.02 | 26.31 | 42.01 | 115.02 |
| 7.13 | 26.32 | 43.69 | 209.42 |
| 11.01 | 27.52 | 49.38 | 209.82 |
| 15.01 | 27.68 | 71.4302 | 210.20 |
| 18.41 | 37.04 | 101.015 | 210.60 |

C. **Amend** in ink and **Insert** immediately following each amendment the effective date shown:

(1) Article 4.04—Sleeping on Board
In paragraph (1), line 2—
**Delete:** "casue", and
**Substitute:** "cause".

(2) Article 5.15—Privileges of Chief Petty Officers, Petty Officers and Leading Seaman
At end of article, in cross-reference—
**Delete:** "27.17", and
**Substitute:** "27.65".

(3) Article 15.19—Release of Female Officers
**Delete:** "article 15.19", and
**Insert:** "(15.19: NOT ALLOCATED)".

(G) (PC 61/752 of 5 Feb 52) (NS 4240–9) (8 Feb 52)

(4) Article 15.33—Release by Purchase
In the table to this article, under "Cases Applicable", paragraph (1), after "engagement"—
**Insert:** "or subsequent re-engagement".
(C) (NS 4240–17) (26 Feb 52)

(5) Article 18.45—Re-Entries and Recovered Deserters
In paragraph (4), line 3—
**Delete:** "18.42", and
**Substitute:** "18.41".
(C) (NS 4371–20 Vol II) (1 Sept 51)

(6) Article 42.86—Lifebuoys—Tests of Mechanism
**Delete:** "article 42.86", and
**Insert:** "(42.86: NOT ALLOCATED)".
(C) (6878–1) (29 Apr 52)

(7) Article 43.03—The Divisional System
In paragraph (3) (c), line one—
**Delete:** "reminder", and
**Substitute:** "remainder".

(8) Article 45.46—Inspection of Ship's Books by Senior Officer in Command
In paragraph (1), line 2—
**Delete:** "and 427".
(C) (NS 7570–1) (29 Apr 52)

(9) Article 54.11—Naval Educational Tests
In subparagraph (a), line 2—
**Delete:** "grade X", and
**Substitute:** "grade VIII".
(C) (NS 4344–6) (29 Apr 52)

(10) Article 62.79—Wearing of National Colours
In paragraph (1), line one—
**Delete:** "shiled", and
**Substitute:** "shield".

(11) Article 71.4501—Report of the Results of Inspections and Musters
In paragraph (4), line 2—
**Delete:** "or 427".
(C) (NS 7570–1) (29 Apr 52)

(12) Article 205.05—Subsistence, Quarters and Ration Allowances During Periods of Authorized Absence
In paragraph (2) (b), line three, after "pay"—
**Insert:** ", other than short leave".
(G) (PC 54/1525 of 17 Mar 52) (NS 2420–285) (1 Sept 51)

(13) Article 209.207—Special Rates for Railway Transportation
In paragraph (1) (a)—
**Delete:** "3¼", and
**Substitute:** "3½".

In paragraph (1) (b)—
**Delete:** "2 1/3", and
**Substitute:** "2½".

(C) (NS 4982–1) (1 May 52)

(14) Article 209.63—Leave Without Pay and Allowances on Enrolment—Men

In article heading—
**Delete:** "MEN".
In paragraph (1), line one—
**Delete:** "a", and
**Insert:** "an officer or".
In paragraph (2), line one—
**Delete:** "a", and
**Insert:** "an officer or".

(G) (PC 57/752 of 8 Feb 52) (NS 2420-21) (8 Feb 52)

A. **Appendices—Reprinted Pages:**

The following new sections and amendments to existing sections have been incorporated in the attached reprinted pages. These pages shall be inserted in place of the existing pages:

((a) **New sections:**

216A of Appendix XI
4A of Appendix XIII
41C of Appendix XXI
46D of Appendix XXI
46E of Appendix XXI

(b) **Amended sections:**

4 of Appendix I
Title Page, Appendix XI
19 of Appendix XI
40 of Appendix XI
108 of Appendix XI
121 of Appendix XI
136 of Appendix XI
137 of Appendix XI
155 of Appendix XI
158 of Appendix XI
200 of Appendix XI
2 of Appendix XII
3 of Appendix XII
5 of Appendix XII
6 of Appendix XII
2 of Appendix XIII
4 of Appendix XXI
42 of Appendix XXI
46B of Appendix XXI
52 of Appendix XXI

B. **Amend** in ink as follows:

(1) App. 1, first page, under Chapter 49—
**Insert:** "As amended by the Canadian Forces Act, 1951, Chapter 7, (Second Session)".

(2) App XXI, first page, following list of amendment dates—
**Insert:** "The Canadian Forces Act, 1951, Chapter 7, (Second Session)".

(3) App XII, sec (4), subsec (3), in lines two and three—
**Delete:** "the Militia Act, the Naval Service Act,", and
**Substitute:** "the National Defence Act".

N.S. 575-444
Q.P. Job No. 56704
Quantity 4000

## AMENDMENTS—QRCN

(See QRCN Article 1.24)

The following amendments to The Queen's Regulations and Orders for the Royal Canadian Navy having been approved by competent authority, shall be inserted in QRCN immediately on receipt of this order.

Advance Notices 1/2, 2/2, 3/2, 4/2, and 5/2, are superseded by this amendment list.

Naval Secretary

To all Flag Officers, Officers Commanding Her Majesty's Canadian Ships and Establishments and to all others concerned.

A. **New Pages:**

14.993

B. **Reprinted Pages:**

The following new articles and amendments to existing articles have been incorporated in the attached reprinted pages. These pages shall be inserted in place of the existing pages:

(*a*) **New articles:**

| | | | |
|---|---|---|---|
| 14.99 | 38.04 | 205.275 | 209.845 |
| 14.992 | 203.28 | 209.72 | |

(*b*) **Amended articles:**

| | | | | |
|---|---|---|---|---|
| 1.01 | 19.62 | 71.4222 | 205.26 | 208.30 |
| 4.47 | 34.02 | 114.41 | 207.01 | 208.31 |
| 15.21 | 34.03 | 204.21 | 207.02 | 208.32 |
| 15.31 | 34.04 | 204.30 | 207.03 | 208.33 |
| 16.14 | 42.61 | 205.01 | 207.04 | 208.34 |
| 16.17 | 48.01 | 205.20 | 208.01 | 209.70 |
| 17.07 | 48.15 | 205.22 | 208.04 | |

Appendix XXI, Part V, Section 3.

C. **Amend** in ink and **Insert** immediately following each amendment the effective date shown:

(1) Table of Contents

Chapter 114, Section 7 —

**Delete:** "Povisions", and

**Substitute:** "Provisions".

(2) Article 4.44—Officer of the Watch at Sea

In paragraph (17), line 3 —

**Delete:** "42.05", and

**Substitute:** "42.06".

(3) Article 14.06—Former Service on Enrolment or Re-Engagement
In paragraph (1), line 1 —
**Delete:** "Subject to article 14.04 (Time Forfeited) and", and
**Substitute:** "Subject to article".

(4) Article 14.71—Promotion—Electrician's Mate
In paragraph (1), lines 1 and 2 —
**Delete:** "one year's seagoing service in the ordinary and able ranks combined", and
**Substitute:** "six months, seniority as an able seaman,".
(C) (NS 4021-931) (15 Dec 51)

(5) Article 14.71—Promotion—Electrician's Mate (TABLE)
Under Qualifications Required R.C.N.
In Item 1(b) —
**Delete:** "1 year", and
**Substitute:** "9 months".
(C) (NS 4021-931) (15 Dec 51)

(6) Article 14.72—Promotion—Electrical Technician (TABLE)
Under Qualifications Required. R.C.N.
In Item 4(a)
**Delete:** "in the Electrician's Mate and/or Electrical Technician Trades".
In Item 4(b)
**Delete:** "in the Electrician's Mate and/or Electrical Technician Trades", and
**Substitute:** "as Leading Seaman or below".
(C) (NS 4021-931) (15 Dec 51)

(7) Article 14.73—Promotion—Electrical Technician (Air) (TABLE)
Under Qualifications Required. R.C.N.
In Item 4(a)
**Delete:** "in the Electrician's Mate and/or Electrical Technician (Air) Trades".
(C) (NS 4021-931) (15 Dec 51)

(8) Article 14.74—Promotion—Radio Technician (TABLE)
Under Qualifications Required R.C.N.
In Item 4(a)
**Delete:** "in the Electrician's Mate and/or Radio Technician Trades".
In Item 4(b)
**Delete:** "in the Electrician's Mate and/or Radio Technician Trade", and
**Substitute:** "as Leading Seaman or below".
(C) (NS 4021-931) (15 Dec 51)

(9) Article 14.75—Promotion—Radio Technician (Air) (TABLE)
In Item 4(a)
**Delete:** "in the Electrician's Mate and/or Radio Technician (Air) Trades".
(C) (NS 4021-931) (15 Dec 51)

(10) Article 14.76—Promotion—Air Radio Mechanic

**Delete** Article 14.76 and 14.76 (table).

**Delete:** "(14.77 AND 14.78: NOT ALLOCATED)", and

**Substitute:** "(14.76 TO 14.78 INCLUSIVE: NOT ALLOCATED)".

(NS 4020-931) (10 Jan 52)

(11) Article 16.11—Application of Section

In paragraph (b), line 2 —

**Delete:** "twelve", and

**Substitute:** "six" .

(M) (NS 4406-1) (15 Dec 51)

(12) Article 18.42—Counting of Foreign Service

In article heading —

**Delete:** "Foreign", and

**Substitute:** "Former".

(13) Article 19.10—Combinations Forbidden

**Delete:** "Except in the case of a welfare committee organized in accordance with article 43.18 (Welfare Committee) an officer or man shall:", and

**Substitute:** "No officer or man shall without authority:".

(NS 4940-1) (10 Jan 52)

(14) Article 21.89—Civilians Suspected of Implication in Theft or Other Offence

In line 2, after "public" —

**Insert:** "or non-public".

(NS 6018-1) (10 Jan 52)

(15) After Article 26.32 —

**Delete:** "(26.33 RESERVED: CANADIAN ARMY AND RCAF)", and

**Substitute:** "(26.325 and 26.33 RESERVED: CANADIAN ARMY AND RCAF)".

(16) Article 37.25—Persons Authorized to Make Payments or Receive Money

In Ink Corrections of Amendment List 1 —

**Delete** Item (5), and

**Substitute** new Item (5) as follows:

"(5) Article 37.25—Persons Authorized to Make Payments or Receive Money

In paragraph (2), line 2 —

**Delete:** "for public purposes", and

**Substitute:** "or make payments for public purposes"."

(C) (NS 2420-1) (1 Oct 51)

(17) Article 45.47—Inspection of Ship's Books by Captain

In subparagraph (a) —

**Delete:** "Record of stock-taking of naval stores", and

In subparagraph (b) —

**Insert:** "Record of stock-taking of naval stores".

(NS 1834-58) (15 Dec 51)

(18) Article 48.45—Navigation Dangers and Hydrographic Information
In paragraph (7), line 2 —
**Delete:** "64.09", and
**Substitute:** "64.10".

(19) Article 51.42—Aviation Fuel, Gasoline and Lubricating Oil
In paragraph (1) —
**Delete** clause (i), and
**Substitute** new clause (i) as follows:
"(i) embarked aviation fuel,".
(NS 7814-1) (10 Jan 52)

(20) Article 54.21—Examinations in Educational Subjects
In paragraph (3), line 3, after "months",
**Insert:** , "or at any time approved by the Senior Officer in Chief Command."
(C) (NS 4344-6 Vol. 6) (12 Jan 52)

(21) Article 57.31—Responsibility for Secret and Confidential Books
In paragraph (2), line 1, after "officer" —
**Insert:** "or carefully selected civil servant".
(C) (NS 1950-14) (7 Feb 52)

(22) Article 63.46—The King, Queen and Royal Family
In Paragraph (1), line 4, after "lieutenant-commander" —
**Insert:** "or lieutenant".
(NS 7814-1) (10 Jan 52)

(23) Article 64.09—Refugees
In paragraph (4), line 6 —
**Delete:** "62.24", and
**Substitute:** "64.24".

(24) Article 64.15—Landing Armed Men
In line 1 —
**Delete:** "64.47", and
**Substitute:** "64.08".

(25) Article 71.0401—Supersession of Officers—Reports
In paragraph (4), line 2 —
**Delete:** "4.04", and
**Substitute:** "4.07".

(26) Article 71.1401—Half-Yearly Return of Assessments of Suitability for Promotion (TABLE)
Under column headed "Trades", after "Seaman" —
**Insert:** "Regulating". (NS 1700-147/1) (15 Dec 51)

(27) Article 71.4809—Reports on Compasses
**Delete** paragraph (1), and
**Renumber** paragraphs (2) and (3) as (1) and (2) respectively.
In renumbered paragraph (2), line 1—
**Delete:** "and (2)". (NS 1600-1) (15 Dec 51)

(28) Article 103.01—Responsibility for Offences
In Note (G), clause (iii), line 7 —
**Delete:** "130.21", and
**Substitute:** "103.21".
In line 13 —
**Delete:** "203.34", and
**Substitute:** "103.34".

(29) Article 103.23—Absence Without Leave
In Note (A), line 2 —
**Delete:** "183.62", and
**Substitute:** "103.62".

(30) Article 103.26—Cruel or Disgraceful Conduct
In Note (A), line 2 —
**Delete:** "offences triable by ordinary law", and
**Substitute:** "offences punishable by ordinary law".

(31) Article 103.39—Wrongful Acts in Relation to Aircraft or Aircraft Material
In article heading —
**Delete:** "Aircrat", and
**Substitute:** "Aircraft".

(32) Article 105.23—Conditions of Close Custody of Men Other than Chief Petty Officers (See also article 105.24)
In paragraph (1), subparagraph (c), line 3 —
**Delete:** "114.22", and
**Substitute:** "114.42".

(33) Article 107.01—Statutory Requirement for Investigation of a Charge
In line 1 —
**Delete:** "paid", and
**Substitute:** "laid".

(34) Article 205.50—Outfit Allowance—Regular Force Officers
In paragraph (1), line 2 —
**Delete:** "$250.00", and
**Substitute:** "$375.00".
(G) (PC 3/6768 of 14 Dec 51) (NS 2420-340) (1 Dec 51)

(35) Article 208.07 — Compensatory Payments to Dependents
**Delete:** Article 208.07.
(G) (PC 3/6960 of 29 Dec 51) (NS 2367-1) (1 Jan 52)

(36) Article 208.08—Cessation and Adjustment of Pay and Allowances—Personnel Marked "Run" or "RQ"
**Delete:** Article 208.08, and
**Insert:** "(208.07 AND 208.08: NOT ALLOCATED)".
(G) (PC 3/6960 of 29 Dec 51) (NS 2367-1) (1 Jan 52)

(37) Article 208.35—Restoration of Pay and Allowances When Sentence Quashed

**Delete:** Article 208.35, and

**Insert:** "(208.35: NOT ALLOCATED)".

(G) (PC 3/6960 of 29 Dec 51) (NS 2367-1) (1 Jan 52)

(38) Article 208.36—Restoration of Pay and Allowances by the Minister

In article 208.36,

**Delete:** paragraph (2).

(G) (PC 3/6960 of 29 Dec 51) (NS 2367-1) (1 Jan 52)

(39) Article 209.25—Use of Private Motor Cars and Private Motorcycles for Personal Convenience

In paragraph (2), line 4, before the word "rail" —

**Insert:** "air,".

In paragraph (4), line 4, before the word "rail" —

**Insert:** "air,".

(G) (PC 2/6960 of 29 Dec 51) (NS 2400-2) (1 Sep 51)

(40) Article 209.82—Transportation of Dependents

In paragraph (4), line 4 and line 7, before the word "rail" —

**Insert:** "air,".

(G) (PC 2/6960 of 29 Dec 51) (NS 2400-2) (1 Sep 15)

D. **Cancellations:**

| | | | |
|---|---|---|---|
| 14.76 | 34.06 | 208.07 | 208.35 |
| 34.05 | 208.035 | 208.08 | |

N.S. 575-444
Q.P. Job No. 50910
Quantity 4000

# AMENDMENTS—KRCN

(See KRCN Article 1.24)

The following amendments to The King's Regulations and Orders for the Royal Canadian Navy having been approved by competent authority, and promulgated in Advance Notices 1/1, 2/1, 3/1, 4/1, shall be inserted in KRCN immediately on receipt of this order.

Naval Secretary

To all Flag Officers, Officers Commanding His Majesty's Canadian Ships and Establishments and to all others concerned.

A. **Delete** pages containing articles:

| | | | | |
|---|---|---|---|---|
| 3.09 | 14.75 | 205.51 | 209.51 | 209.86 |
| 6.01 | 204.04 | 205.61 | 209.61 | 209.87 |
| 14.17 | 205.09 | 209.22 | 209.63 | 209.88 |
| 14.52 | 205.24 | 209.32 | 209.82 | 210.20 |
| 14.71 | 205.40 | 209.40 | 209.83 | 210.24 |
| 14.72 | 205.44 | 209.405 | 209.84 | 210.27 |
| 14.73 | 205.50 | 209.50 | 209.85 | 210.74 |
| 14.74 | | | | |

**Insert** pages containing articles:

| | | | | |
|---|---|---|---|---|
| 3.09 | 12.25 | 204.04 | 209.40 | 209.86 |
| 6.01 | 12.26 | 205.09 | 209.405 | 209.87 |
| 12.01 | 12.27 | 205.24 | 209.50 | 209.875 |
| 12.02 | 14.17 | 205.40 | 209.51 | 209.88 |
| 12.03 | 14.52 | 205.44 | 209.61 | 209.915 |
| 12.04 | 14.71 | 205.50 | 209.63 | 210.20 |
| 12.05 | 14.72 | 205.51 | 209.82 | 210.24 |
| 12.21 | 14.73 | 205.61 | 209.83 | 210.27 |
| 12.22 | 14.74 | 209.22 | 209.84 | 210.315 |
| 12.23 | 14.75 | 209.32 | 209.85 | 210.74 |
| 12.24 | 14.76 | | | |

B. **Amend** in ink and **insert** immediately following each article amended the effective date shown:

(1) Article 14.53 (**Table**—Promotion—Communicators (CV) )

Under column headed "Qualifications Required—RCN" Item number 5 (c):

**Delete:** "NIL", and
**Substitute:** "Examination (oral)". (1 Sept 51)

(2) Article 17.04—When Uniform to be Worn

**Delete** in paragraph (3) sub-paragraph (a) clause (iv); "or".

**Insert** following new clauses (v) and (vi):

" (v) France,
(vi) Holland, or".

**Renumber** present clause (v); as "(vii)".

**Delete** in paragraph (3) sub-paragraph (b); "the Department of External Affairs", and

**Substitute:** "Naval Headquarters".

**Delete** in paragraph (4) sub-paragraph (a): "or (iv)", and

**Substitute:** "(iv), (v), or (vi)".

**Delete** in paragraph (5) line one: "(3) or". (15 Oct 51)

(3) Article 18.01 (TABLE)—Award of Orders, Service Decorations and Medals
Under column headed:
"Letters which may be used after the surname", and opposite
"Distinguished Service Medal",

**Delete:** "D.C.M.," and
**Substitute:** "D.S.M.".

(4) Article 24.15—Entitlement to Military Funerals
In Sub-Paragraph (a)

**Insert** the following new clause (iv):

"(iv) A deceased holder of the Victoria Cross; and". (1 Nov 51)

(5) Article 37.25—Persons Authorized to Make Payments or Receive Money
In Paragraph (2).

**Delete:** "for public purposes" and
**Substitute:** "or accept cash for public purposes". (1 Oct 51)

(6) Article 43.16—Watch and Quarter, Station and Fire Bills
In article heading:

**Delete:** "Fine"; and
**Substitute:** "Fire".

(7) Article 63.15—Dates for Salutes
In Paragraph (1).

**Add** new sub-paragraph (g) as follows:

"(g) Dominion Day". (1 Oct 51)

(8) Article 71.1201—Half-Yearly Recommendation for Promotion
In sub-paragraph (1)(a) line 1

**Delete:** "(4)(a)" and
**Substitute:** "(5)(a)".

(9) Article 71.1401 (TABLE)—Half-Yearly Return of Assessments of Suitability for Promotion
Under column headed "DATE FROM CNS 507 SHALL BE RENDERED" opposite "Seamen, Sailmakers, Bandsmen, Photographers,"

**Delete:** "15 October" and
**Substitute:** "15 November" (1 Oct 51)

(10) Article 106.10—General Provisions
Top right hand section of page
**Delete:** "166.11" and
**Substitute:** "106.11".

(11) Article 106.15—Specimens
In Paragraph (1), particulars of First Charge, line three:
**Delete:** "P2ER2", and
**Substitute:** "P1ER2".

(12) Article 107.05—General Rules for Investigation of Charge
In Note (A) line 2,
**Delete:** "Section 138", and
**Substitute:** "Section 132".

(13) Article 205.20—Marriage Allowance—General Conditions (PC 16/4536 of 30 Aug 51)
In Paragraph (2) between sub-paragraph (b) and clause (i)
**Add** "unless the Minister otherwise directs". (NS 2420–403) (1 Sept 51)

(14) Article 205.53—Kit Upkeep Allowance—Men
In Paragraph (2)
(a) **Delete:** "$6.10" and **Substitute:** "$10.00". (PC 16/4536 of 30 Aug 51)
(b) **Delete:** "$5.05" and **Substitute:** "$8.00". (NS 2420–255) (1 Sept 51)

(15) Article 205.73—Interim Allowance for Dependents—Reserves Not on Continuous Naval Duty
In Paragraph (1)
**Delete:** "in article 205.20(3)" and (PC 16/4536 of 30 Aug 51)
**Substitute:** "in article 205.20". (NS 2420–403) (1 Sept 51)

(16) Article 209.20—Transport Warrants
In Paragraph (2)(b)
**Delete:** "article 209.22(5)" and (PC 16/4536 of 30 Aug 51)
**Substitute:** "article 209.22(6)". (NS 2871–1) (1 Sept 51)

(17) Article 209.30—Travelling Allowances—Daily Rates and Conditions
In Paragraph (4)(b)
**Delete:** "breakfast.....$1.50
luncheon.....$1.75
dinner.....$2.00"
**Substitute:** "Breakfast.....$1.65 (PC 16/4536 of 30 Aug 51)
Lunch.....$2.00
Dinner.....$2.35" (NS 4980–15) (1 Sept 51)

(18) Article 210.31—Grants to Reading Rooms and Libraries—Regular Force
**Delete** in line 1 "$20.00", and (PC 52/5266 of 4 Oct 51)
**Substitute** "$35.00". (NS 2280–30) (1 Sept 51

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